

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
W/S Garrison Forest Rd., 100' \*  
S of c/l Chittenden Lane \* ZONING COMMISSIONER  
214 Garrison Forest Road \*  
3rd Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \*  
Jeffrey Y. Flynn, et ux \* Case No. 95-347-A  
Petitioners \*  
\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 214 Garrison Forest Road near the Owings Mills section of Baltimore County. The Petition is filed by Jeffrey Y. Flynn and Rebecca M. Flynn, property owners. Variance relief is requested from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 39 ft. setback in lieu of a 50 ft. setback for a proposed addition. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

This matter was originally filed as a Petition for Administration Variance pursuant to Section 26-127 of the Baltimore County Code. That section allows the Zoning Commissioner to grant variance relief without a public hearing for owner/occupied residential properties, if a hearing is not requested by the owner of any adjacent property within 1,000 ft. of the subject lot. Notification of the request for administrative variance relief was posted on the property. Subsequently, a request for a public hearing was filed by both Louise Meledin, a neighboring property owner, and by representatives of the Estate of Frances K. Price which also owns property adjacent to the site. Thus, pursuant to the provisions of law, the matter was scheduled for public hearing.

Appearing at the public hearing held for this case were the property owners/Petitioners, Jeffrey Y. Flynn and Rebecca M. Flynn. Also present

MICROFILM

ORDER RECEIVED FOR FILING

Date

By

6/16/95  
M. D. Smith

was Bruce Doak, the Registered Property Line Surveyor from Gerhold, Cross and Etzel, Inc., who prepared the Petitioners' Exhibit No. 1, and Gene Gillespie, the Architect who designed the proposed addition. The Petitioners were represented by Deborah Dopkin, Esquire. William A. Bower and Sarah Price Stump, Co-Personal Representatives of the Estate of Frances K. Price, appeared in opposition, as did Louise Meledin.

Testimony and evidence presented was that the subject property is approximately 1.2 acres in area and is primarily zoned R.C.5, with a small sliver of R.C.2 zoning, adjacent to the front property line. This is a wedge shaped property which is located on Garrison Forest Road. The property is bordered to the side and rear by the campus of the Garrison Forest School. As noted above, the front of the site abuts Garrison Forest Road and the south side of the property adjoins an unimproved parcel owned by the Estate of Frances K. Price.

The subject site is improved with an existing 2-1/2 story brick dwelling and attached garage. A macadam driveway also provides vehicular access to the site from Garrison Forest Road and the property also contains both a covered patio and open patio area. The site is not served by public utilities, rather, an existing well is located within the garage and a septic field occupies the southwest corner of the site as shown on the site plan.

Mr. and Mrs. Flynn have owned the property for approximately two years and Mrs. Flynn is expecting a child. In view of their growing family, the Flynnns have proposed constructing an addition onto the house to provide additional living space. The addition will be added to that part of the dwelling which faces Garrison Forest Road and the Price property. As shown on the site plan, the Petitioners propose a 39 ft. side yard setback from the addition to the property line, in lieu of the required 50

ft. The addition will be one story in height and will contain additional living quarters.

As a basis for the Petition for Variance, Mr. Doak and Mr. Flynn both testified as to the unusual shape of the property and other site constraints. As noted above, the site is wedge shaped with a limited side yard area. Moreover, the existing location of the septic field and well prohibit additional construction in those areas. Mr. Flynn indicated that he contemplated the construction of a two story addition but determined that a one story addition would be more architecturally compatible with the house and be of less impact on neighboring properties.

Proffered testimony from Mr. Gillespie is that the proposed addition, where contemplated, would be architecturally consistent with the scheme and flow of the dwelling. Mr. Gillespie's proffered testimony was that it would be problematic to place the addition elsewhere on the property. The Petitioners also submitted numerous photographs of the subject site and its environs.

After hearing the Petitioners' plans, the Protestants indicated that they were not entirely opposed to the request. Apparently, there has been some mis-communication between the Flynn's and their neighbors as to the proposed plans.

As to Ms. Meledin, she agreed that a one story addition was preferable to a two story addition but suggested that some landscaping be added. Although this concern is well taken, the photographs show a sufficient amount of existing buffering in the side yard of the property. Moreover, few trees will be lost due to the construction. For these reasons, I will not order additional buffering but will leave it to the judgment of the Petitioners to install such landscaping as they deem appropriate.

ORDER RECEIVED FOR FILING  
6/16/95  
By *M. Doak*

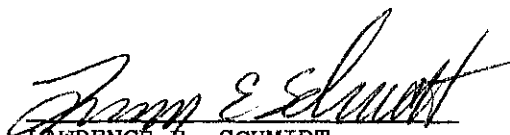
As to the representatives of the Price Estate, they are concerned over potential impacts of the addition on their unimproved property. I do not believe that there will be any adverse impact. Moreover, the grant of this variance is not a precedent for other variances in the area. Any such Petition must be evaluated independently.

Based on the testimony and evidence presented, I am persuaded that the Petition for Variance should be granted. In my view, the addition, where proposed, will not cause adverse impact on the surrounding locale. Moreover, the site constraints and the unusual configuration of the property present unique factors which justify the granting of the variance pursuant to the requirements in Section 307 of the BCZR and the case law. Thus, I am persuaded that the Petitioners have met their burden and that the Petition for Variance should and must be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of June, 1995 that a variance from Section 1A04.3.B.3 of the BCZR to allow a 39 ft. setback in lieu of a 50 ft. setback, for a proposed addition, be and is hereby GRANTED subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mmn



Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 14, 1995

Deborah C. Dopkin, Esquire  
Rosolio, Silverman and Kotz, P.A.  
Suite 220, 502 Washington Avenue  
Towson Maryland 21204

RE: Case No. 95-347-A  
Petition for Zoning Variance  
Property: 214 Garrison Forest Road  
Jeffrey Y. Flynn and Rebecca M. Flynn, Petitioners

Dear Mrs. Dopkin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

cc: Mr. and Mrs. Jeffrey Flynn, 214 Garrison Forest Road, 21117  
cc: Mr. Bruce Doak, Gerhold, Cross and Etzel, Ltd.  
Mr. William A. Bower c/o Estate of Frances K. Price  
Mrs. Sarah Price Stump  
Mrs. Louise Meledin





# Petition for Variance

to the Zoning Commissioner of Baltimore County

95-347-A

for the property located at 214 Garrison Forest Road  
which is presently zoned RCS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1 A 04.3B.3

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Variance to allow a 39 foot setback in lieu of a 50 foot setback on southern property line.

(SEE AFFIDAVIT)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

Legal Owner(s)

(Type or Print Name)

Jeffery Y. Flynn  
(Type or Print Name)

Signature

*[Signature]*  
Signature

Address

Rebecca M. Flynn  
(Type or Print Name)

City State Zipcode

*[Signature]*  
Signature

Attorney for Petitioner

214 Garrison Forest Road 581-3449  
Address Phone No

(Type or Print Name)

Owings Mills, Maryland 21117  
City State Zipcode

Signature

Name, Address and phone number of representative to be contacted

Address Phone No

Gerhold, Cross & Etzel Ltd.  
Name

City State Zipcode

320 E. Towson Town Blvd. 823-4470  
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING w/a  
unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: mjc DATE 4/6/95

est part - 4/16/95



Printed with Soybean Ink on Recycled Paper



95-347-A

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

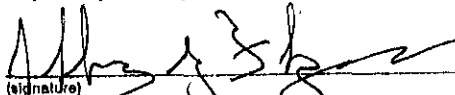
That the Affiant(s) does/do presently reside at 214 Garrison Forest Road  
address  
Owings Mills, Maryland 21117  
City State Zip Code

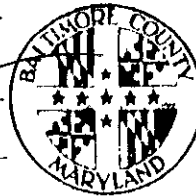
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)


Alternative locations of the addition were explored and were rejected based on the following reasons: 1) Alternatives would greatly reduce outside play area 2) Views from existing living room would be lost 3) Encroachment into existing septic area and cleanout 4) Proved to be more costly than 900 sq. ft. addition and 5) Not close to vehicular access and parking. The closest dwelling is 500'± away.

See letter dated 29 March 1995 from W. Eugene Gillespie AIA

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

  
(signature)  
Jeffery Y. Flynn  
(type or print name)



  
(signature)  
Rebecca M. Flynn  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24th day of March, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeffery Y. Flynn and Rebecca M. Flynn

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

3-24-95  
date

  
NOTARY PUBLIC

My Commission Expires June 20, 1996



GORDON T. LANGDON  
DENNIS M. MILLER  
EDWARD F. DEIACQ-LOHR  
BRUCE E. DOAK

**GERHOLD, CROSS & ETZEL**  
*Registered Professional Land Surveyors*

SUITE 100  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318

410-823-4470  
FAX 410-823-4473

95-347-A

**EMERITUS**  
PAUL G. DOLLENBERG  
FRED H. DOLLENBERG  
CARL L. GERHOLD  
PHILIP K. CROSS  
**OF COUNSEL**  
JOHN F. ETZEL  
WILLIAM G. ULRICH

March 14, 1995

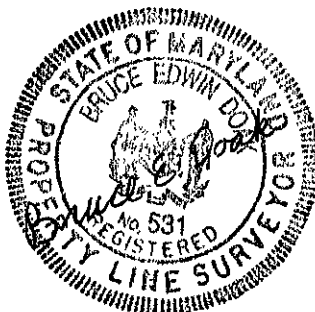
**Zoning Description**  
**214 Garrison Forest Road**

Beginning at a point in the centerline of Garrison Forest road, which future ultimate right-of-way is 60 feet, at a distance of 100 feet, more or less, south of the centerline of Chittenden Lane. Thence the following four courses and distances, viz:

South 06 degrees 00 minutes 00 seconds East 96.15 feet, thence  
South 84 degrees 00 minutes 00 seconds West 400.00 feet, thence  
North 20 degrees 04 minutes 00 seconds East 212.84 feet, and  
South 78 degrees 46 minutes 15 seconds East 320.87 feet to the point of beginning.

Containing 1.216 Acres of land, more or less.

**This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.**



# 348

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

95-347-A

District 3rd Date of Posting 4/14/95  
Posted for: Varience  
Petitioner: Jeffery & Rebecca Flynn  
Location of property: 44 Garrison Forest Rd, W/D  
Location of Signs: Facing roadway, on property, being torn down  
Remarks: \_\_\_\_\_  
Posted by [Signature] Date of return: 4/21/95  
Number of Signs: 1



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**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

95-347-A

District 3rd Date of Posting 5/13/95

Posted for: Variances

Petitioner: Jeffrey & Rebecca Flynn

Location of property: 214 Garrison Forest Rd.

Location of Signs: Facing road way on property being zoned

Remarks: \_\_\_\_\_

Posted by [Signature] Date of return: 5/19/95

Signature

Number of Signs: 1



# CERTIFICATE OF PUBLICATION

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland

21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-347-A  
(Item 348)

214 Garrison Forest Road  
W/S Garrison Forest Road,  
100' S of c/o Chittenden  
Lane

3rd Election District  
3rd Councilmanic

Legal Owner(s):

Jeffrey Y. Flynn and Rebecca M. Flynn

Hearing: Monday,

June 5, 1995 at 9:00 a.m.  
in Rm. 118, Old  
Courthouse.

Variance to allow a 39-foot setback in lieu of a 50-foot setback on southern property line.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

5/122 May 11.

TOWSON, MD.,

May 12, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 11, 1995.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

~~certifying officer~~

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Baltimore City  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

95-347-A

Account: R-001-6150

Number

Date

4/6/95

Taken In By: MJK

Item: 348

Flynn Veterinary — 214 Garrison Forest Rd

010- Res Variance — \$ 50.00

080- 1 sign posting — \$ 35.00

---

Total — \$ 85.00

*[Signature]*  
Baltimore County

Please Make Checks Payable To: Baltimore County



# REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 95-347-A  
Petitioner(s): Jeffery Y. Flynn  
Location: 214 GARRISON Forest Rd

\*\*\*\*\*

I/WE, Estate of FRANCES K. PRICE  
Name(s) (TYPE OR PRINT)

( ☒ ) Legal Owners ( ☐ ) Residents, of

Adjoining Property  
Address  
CH 1st NATL BANK of MD, TRUST DIV. 101-595  
25 S CHARLES 21201  
ATTN: WM. BOWER

City/State/Zip Code

Phone

which is located approximately \_\_\_\_\_ feet from the  
property which is the subject of the above petition, do hereby formally  
request that a public hearing be set in this matter.

SALLY P. STUMP & FIRST NATIONAL BANK of MD, PERSONAL  
REPRESENTATIVES IN THE ESTATE OF FRANCES K. PRICE

Signature

Date

BY: William A. Bower

5/1/95

Signature VICE PRES. 1st NATL BANK OF MD

Date

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

156551

DATE 5/1/95 ACCOUNT R 001-6150

AMOUNT \$ 40.00

RECEIVED FROM: William Dawkins

FOR: Repost to Accounting - 95-347-A

MICROFILMED

03A03#0006MICHRC  
BA C003#02AM05/02/95

\$40.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

DATE 5/2/95 ACCOUNT R 001-6150

AMOUNT \$ 35.00

RECEIVED FROM: Rebecca Flynn

FOR: Reposting 95-347-A

03A03#0027MICHRC

\$35.00

BA C002#43PM05-11-95

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

DATE 5/22/95 ACCOUNT R 001-6150

002329

AMOUNT \$ 2.00

RECEIVED FROM:

FOR: Copies

MICROFILMED

03A03#00069MICHRC

\$2.00

BA C003#04PM05-22-95

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

**NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.**

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 348

Petitioner: Jeffery + Rebecca Flynn

Location: 214 Garrison Forest Road

**PLEASE FORWARD ADVERTISING BILL TO:**

NAME: abou

ADDRESS: abou

Owings Mills, MD 21117

PHONE NUMBER: 581-3449

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY  
May 11, 1995 Issue - Jeffersonian

Please forward billing to:

Jeffrey and Rebecca Flynn  
214 Garrison Forest Road  
Owings Mills, Maryland 21117  
581-3449

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-347-A (Item 348)  
214 Garrison Forest Road  
W/S Garrison Forest Road, 100' S of c/l Chittenden Lane  
3rd Election District - 3rd Councilmanic  
Legal Owner: Jeffrey Y. Flynn and Rebecca M. Flynn  
HEARING: MONDAY, JUNE 5, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to allow a 39-foot setback in lieu of a 50-foot setback on southern property line.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 4, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-347-A (Item 348)

214 Garrison Forest Road

W/S Garrison Forest Road, 100' S of c/l Chittenden Lane

3rd Election District - 3rd Councilmanic

Legal Owner: Jeffrey Y. Flynn and Rebecca M. Flynn

HEARING: MONDAY, JUNE 5, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to allow a 39-foot setback in lieu of a 50-foot setback on southern property line.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Jeffrey and Rebecca Flynn  
Gerhold, Cross & Etzel, Ltd.  
Mrs. Stump, c/o William Bower  
Louise Y. Meledin, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

April 17, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-347-A (Item 348)  
214 Garrison Forest Road  
W/S Garrison Forest Road, 100' S of c/l Chittenden Lane  
3rd Election District - 3rd Councilmanic  
Legal Owner: Jeffrey Y. Flynn and Rebecca M. Flynn

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) The sign on your property should remain standing up to 4:30 p.m. on the closing date. The closing date (May 1, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After this date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Jeffrey and Rebecca Flynn  
Gerhold, Cross & Etzel, Ltd.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

April 28, 1995

Mr. and Mrs. Jeffery Y. Flynn  
214 Garrison Forest Road  
Owings Mills, Maryland 21117

RE: Item No.: 348  
Case No.: 95-347-A  
Petitioner: J. Y. Flynn, et ux

Dear Mr. and Mrs. Flynn:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 6, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a faint, larger version of the same signature.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: April 20, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 341, 342, 345, 348, 349, and 351

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by:

Division Chief:

PK/JL



Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/19/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 17, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 341, 342, 344, 345,  
347, 348, 349, 350 AND 351.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

MICROFILMED

cc: File





**Maryland Department of Transportation**  
**State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

4-14-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 348 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

*Joyce Watson*  
*ZAC Comments*

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4/28/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 4/17/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 341  
344  
345  
348 ✓  
349  
350  
351

LS:sp

LETTY2/DEPRM/TXTSBP

LAW OFFICES  
ROSOLIO, SILVERMAN & KOTZ, P.A.  
SUITE 220, NOTTINGHAM CENTRE  
502 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204-4513

DEBORAH C. DOPKIN

TELEPHONE 410-339-7100  
FAX NO. 410-339-7107

May 22, 1995

**HAND DELIVERED**

Arnold Jablon, Director  
Department of Zoning Administration  
and Development Management  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

**RE: Item No. 348, Case No. 95-347A**  
**Petition for Variance - 214 Garrison Forest Road**

Dear Mr. Jablon:

This is to advise you that I have been contacted by Mr. and Mrs. Jeffrey Y. Flynn, the Petitioners in the above captioned matter, to act on their behalf at the hearing scheduled for June 5, 1995 at 9:00 a.m. Please enter my appearance as counsel for Petitioners. In connection with this matter, I would appreciate your office preparing copies of all documents, drawings, correspondence, and other matters which may be part of this file, since I would like to pick them up at the earliest opportunity.

Thank you for your attention to this matter.

Very truly yours,

ROSOLIO, SILVERMAN & KOTZ, P.A.

  
Deborah C. Dopkin

DCD/ef

cc: Mr. and Mrs. Jeffrey Y. Flynn

**RECEIVED**  
MAY 22 1995  
**ZADM**

5/23/95  
TO f - we don't  
make copies, she can  
come in, revised &  
request specific copies  
at \$1.00 P/page  
2274-95

*Send  
notice  
funds already  
paid*

Louise Y. Meledin  
Attorney at Law, C.P.A.

305 West Pennsylvania Avenue  
Towson, Maryland 21204-4413

(410) 494-8833

Henry L. Meledin  
Of Counsel  
(410) 494-8835

May 1, 1995

Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204

Re: 214 Garrison Forest Road

Gentlemen:

I hereby respectfully request a Hearing on the above-referenced  
Petition for Variance.

I live at 208 Garrison Forest Road, the closest residence south  
of 214 Garrison Forest.

Thank you for your consideration of my request.

Sincerely yours,



Louise Y. Meledin

0416m

cc: Mr. and Mrs. Jeffrey Flynn

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

BRUCE DOAK - GERHOLD, CROSS & EISEL, LTD

320 E TOWSONTOWN BLDG. TOWSON MD 21286

GENE WILKESPIE ARCHITECT

113 ST. DUNSTON'S RD BALTIMORE, MD 21212

Jeff Flynn

214 Garrison Forest Acl

Rebecca Flynn

214 Garrison Forest Rd, Owings Mills, MD 21117

DEBORAH DOPKIN

502 WASHINGTON AVE 21204



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

William A. Bower for the  
Estate of Frances K. Price

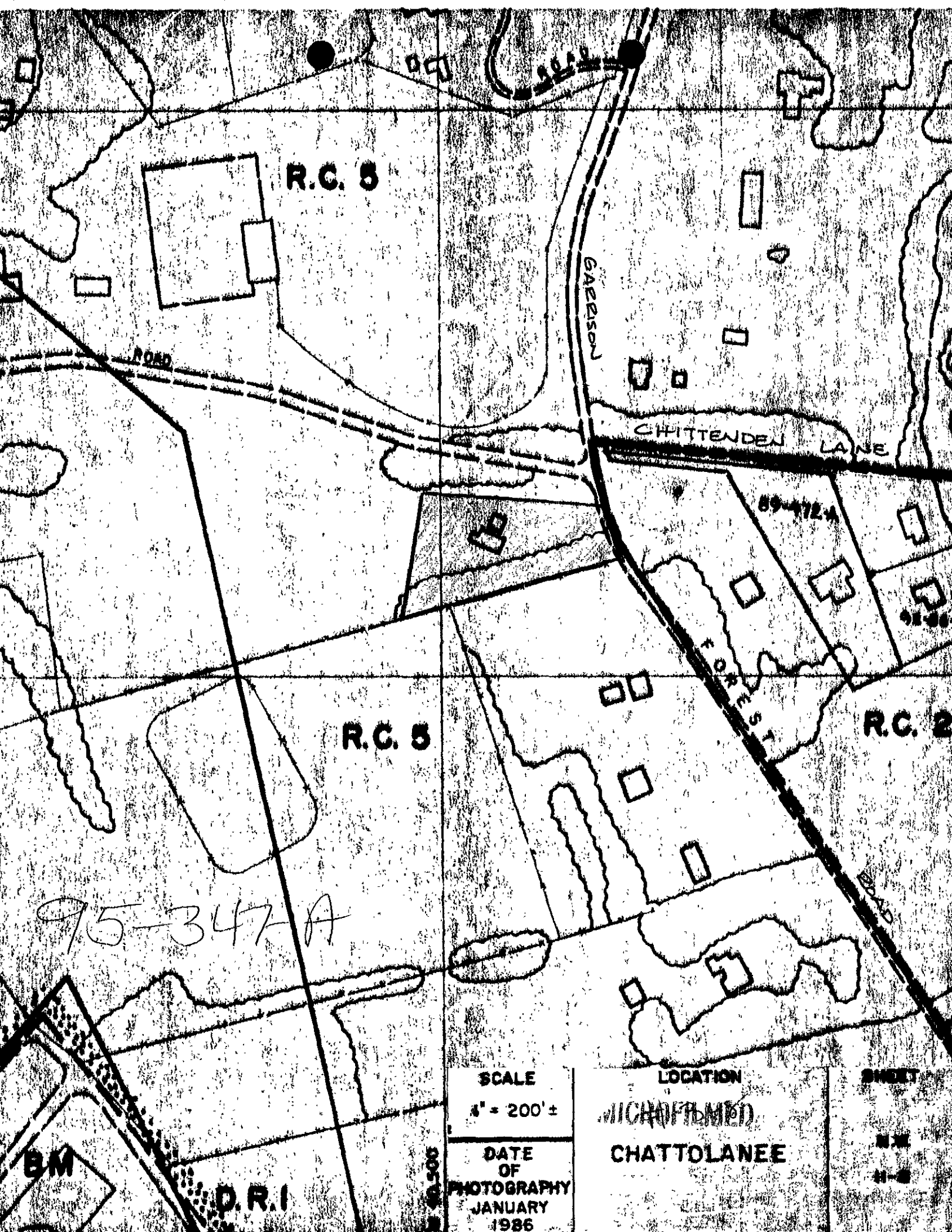
c/o 1st National Bank of MD  
25 S. Charles St., BALTO, MD 21201

Sarah Price Stump

4 Cliffholme Rd., Clarington Mills, Md.  
21117

Louise Meledu

206 Ganssow Forest Road



R.C. 5

ROAD

GARRISON

CHITTENDEN LAKE

89-472-A

R.C. 5

R.C. 2

95-347-A

BM

D.R.I.

SCALE

1" = 200' ±

DATE OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION

MICROFILMED  
CHATTOLANEE

SHEET

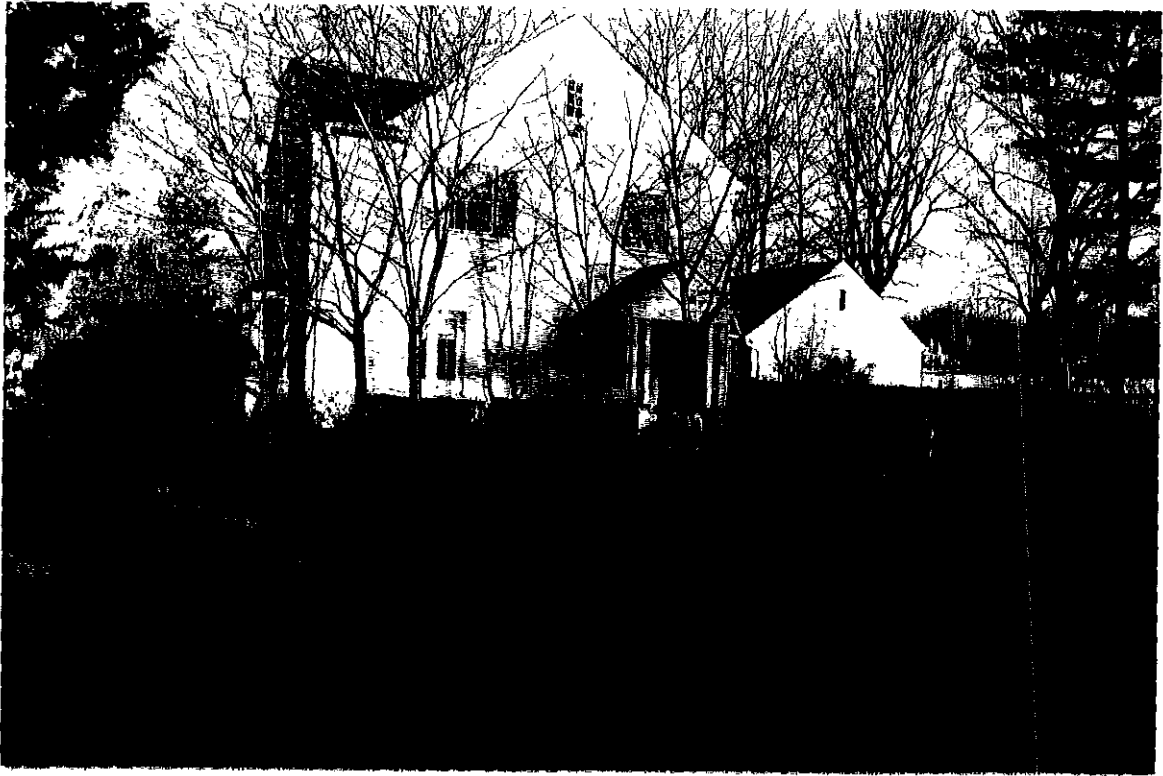
N-X  
H-2



95-347-A



MICROFILMED



95-347-A

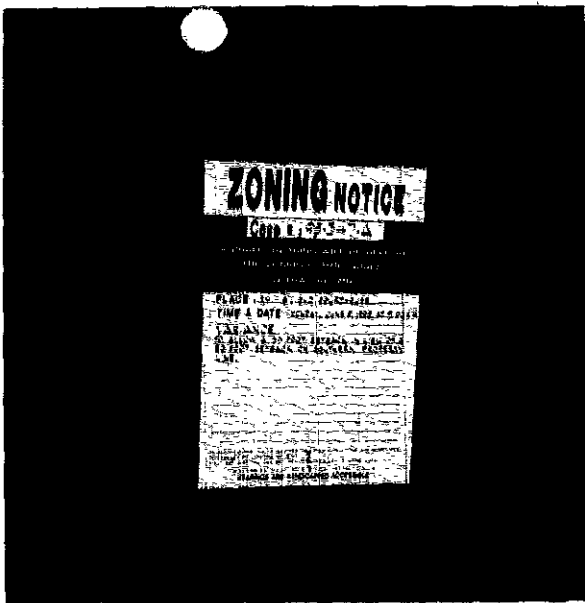
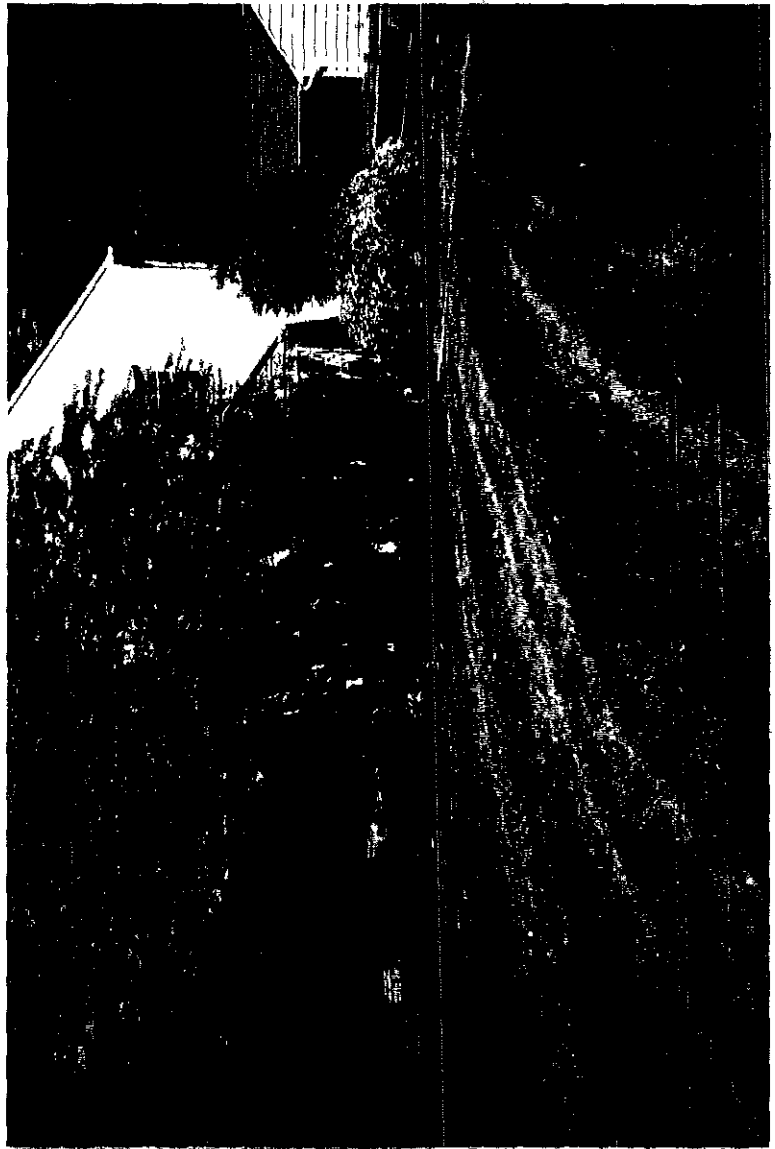


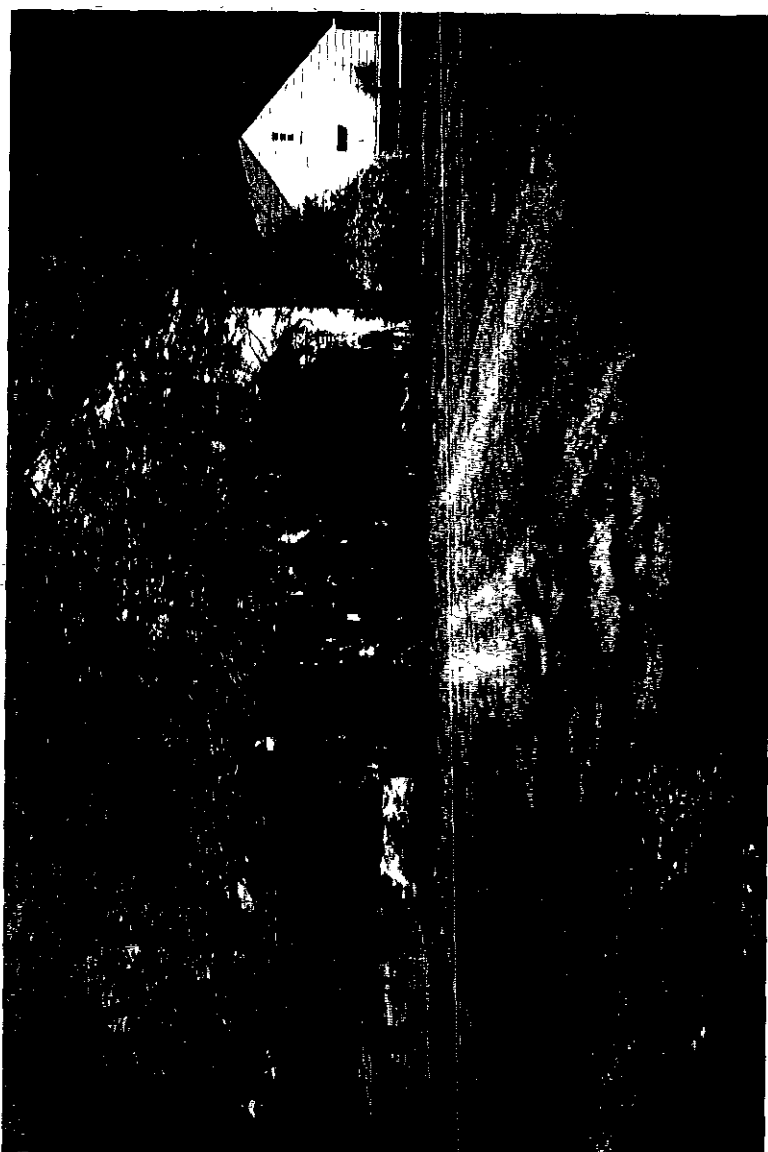
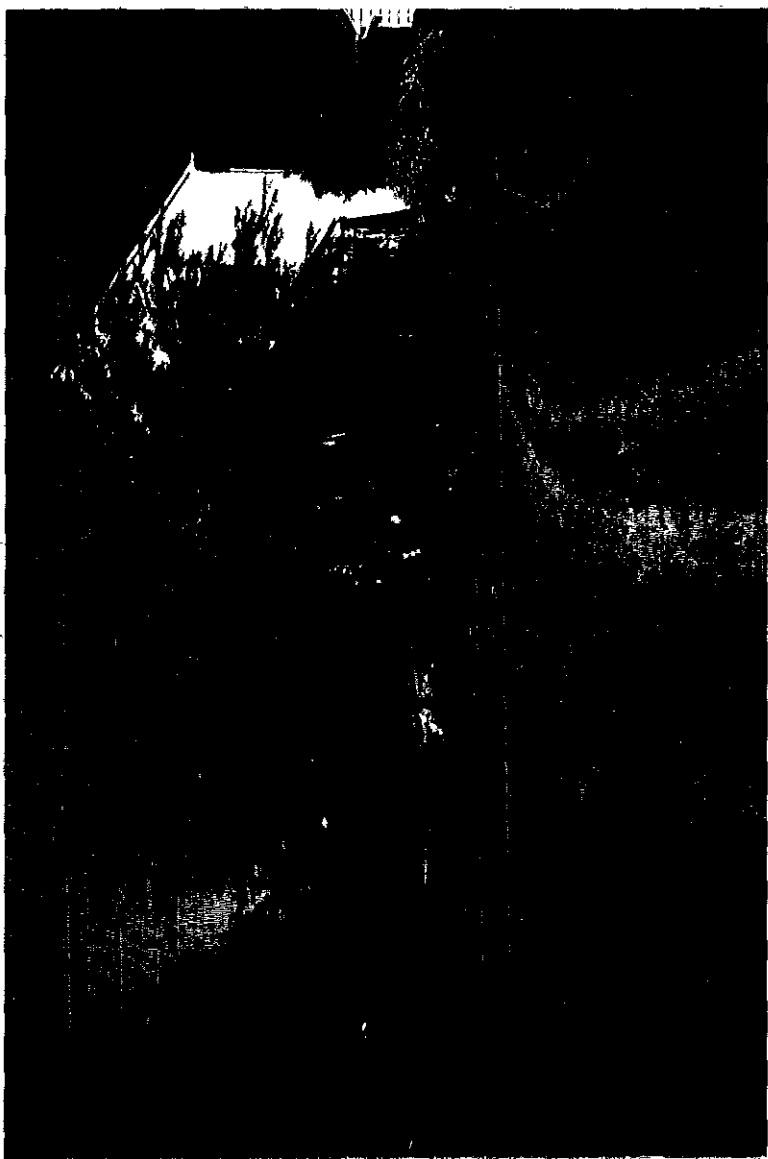
95 - ~~347~~ - A  
347

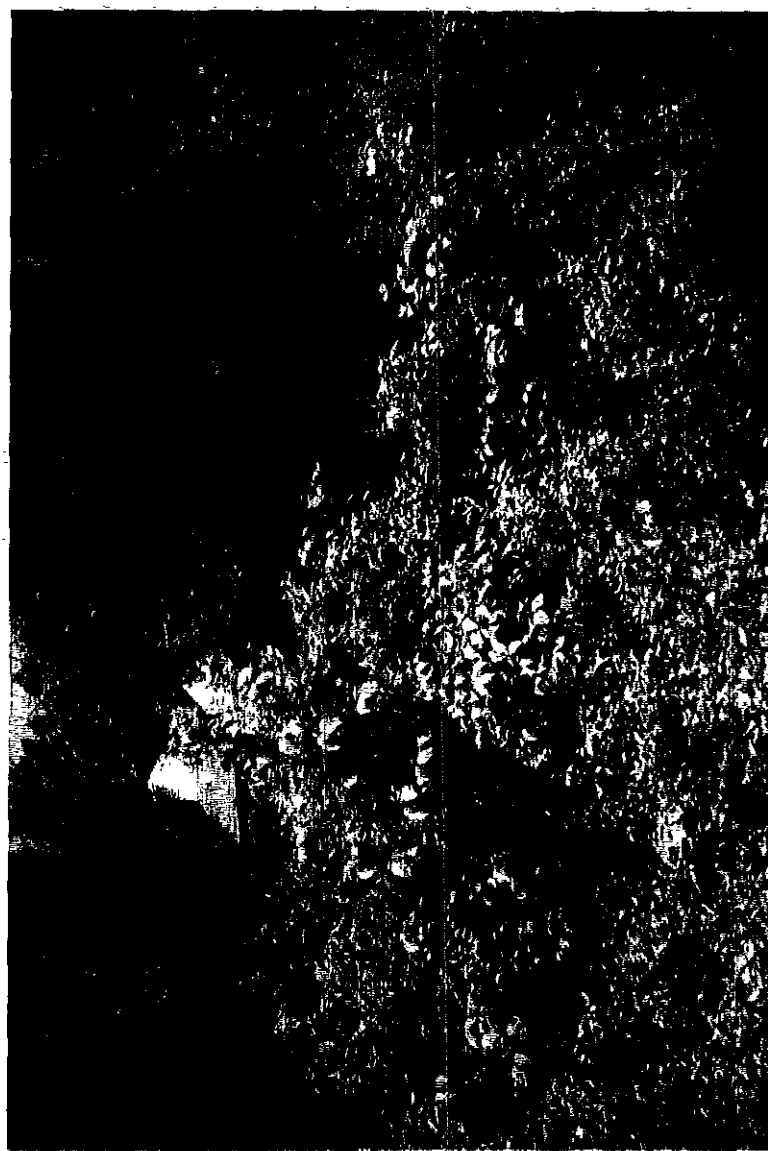
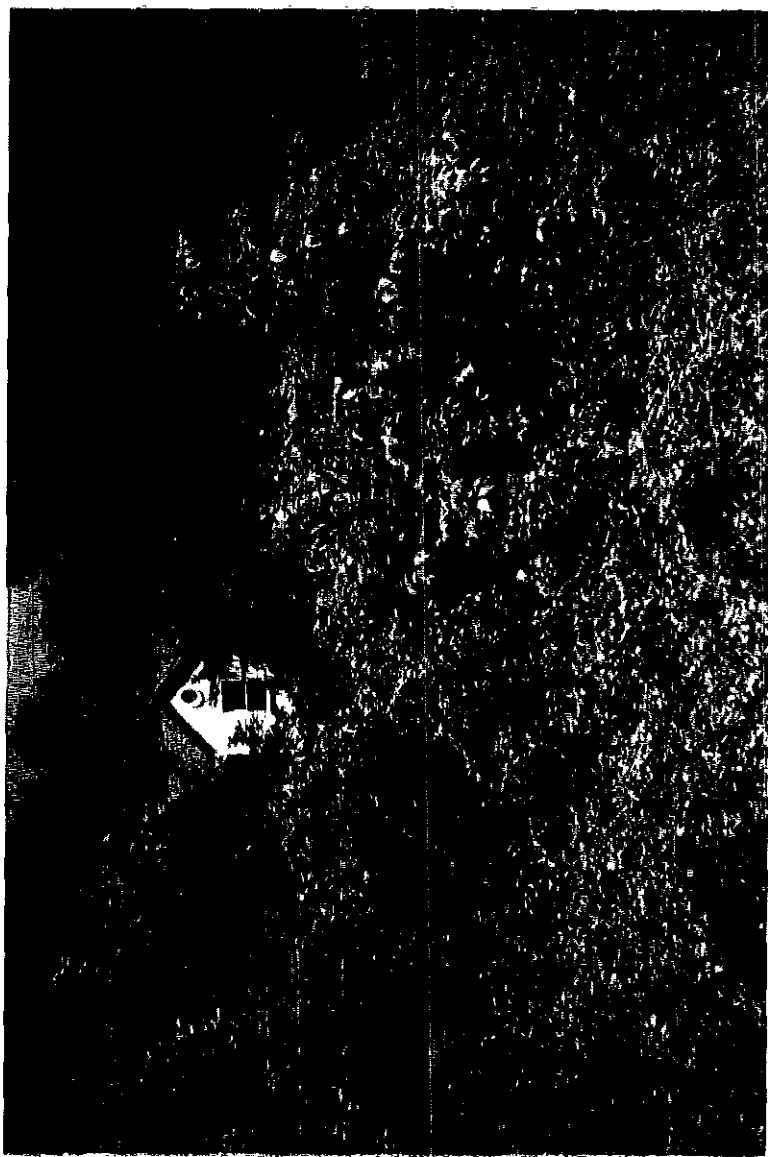




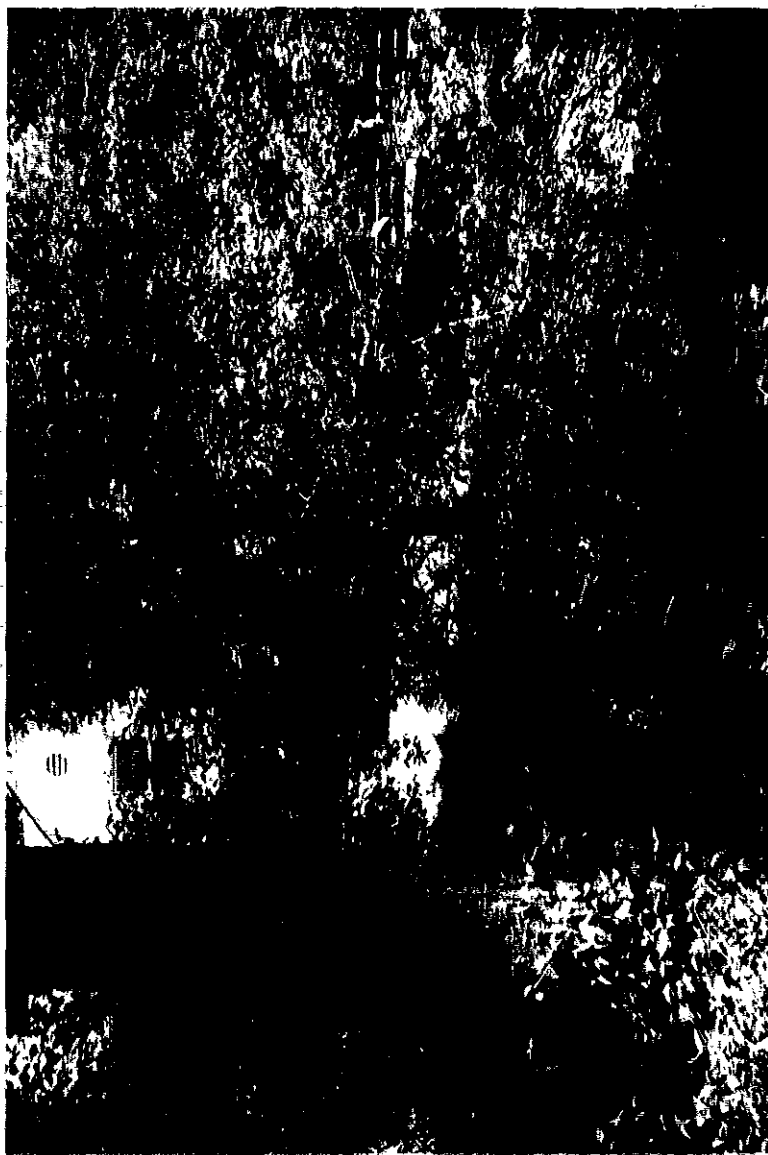
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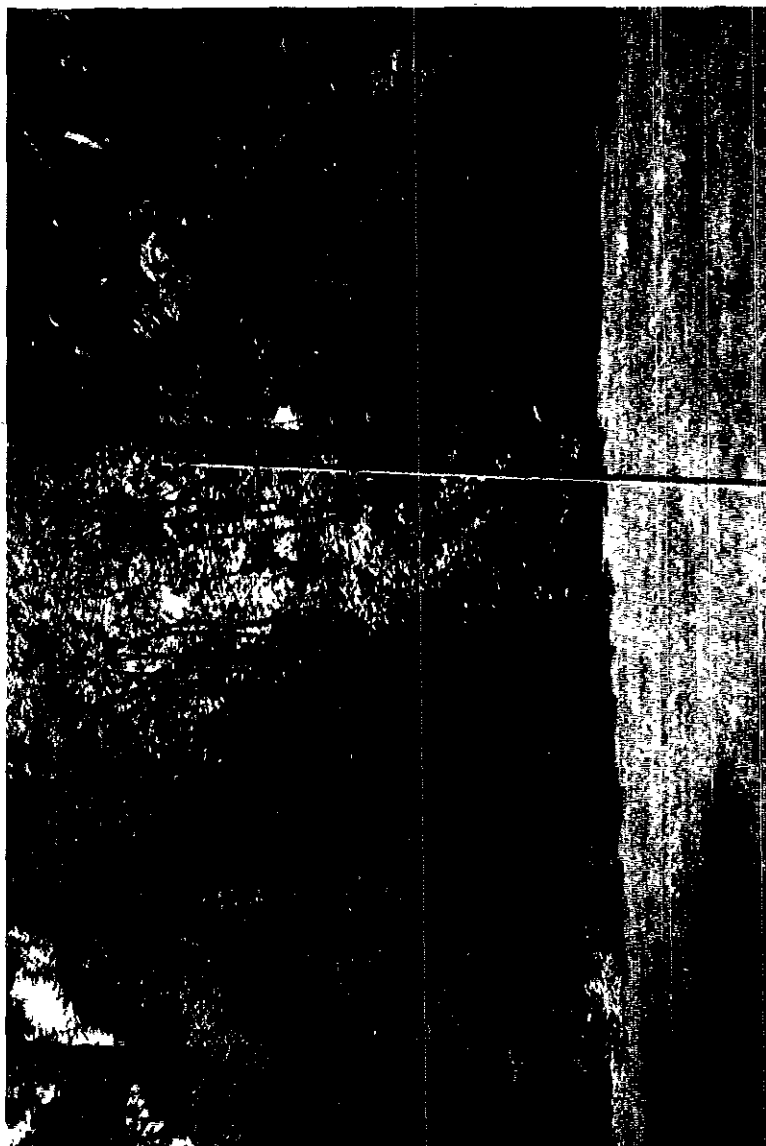


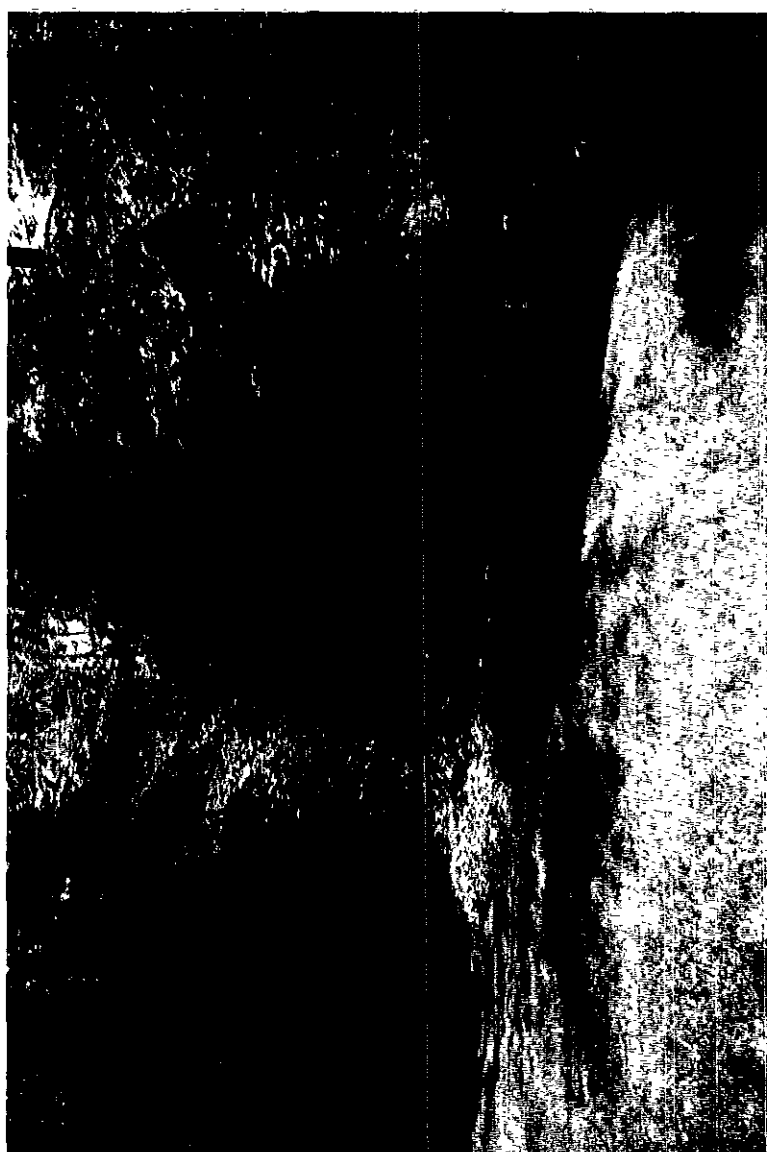


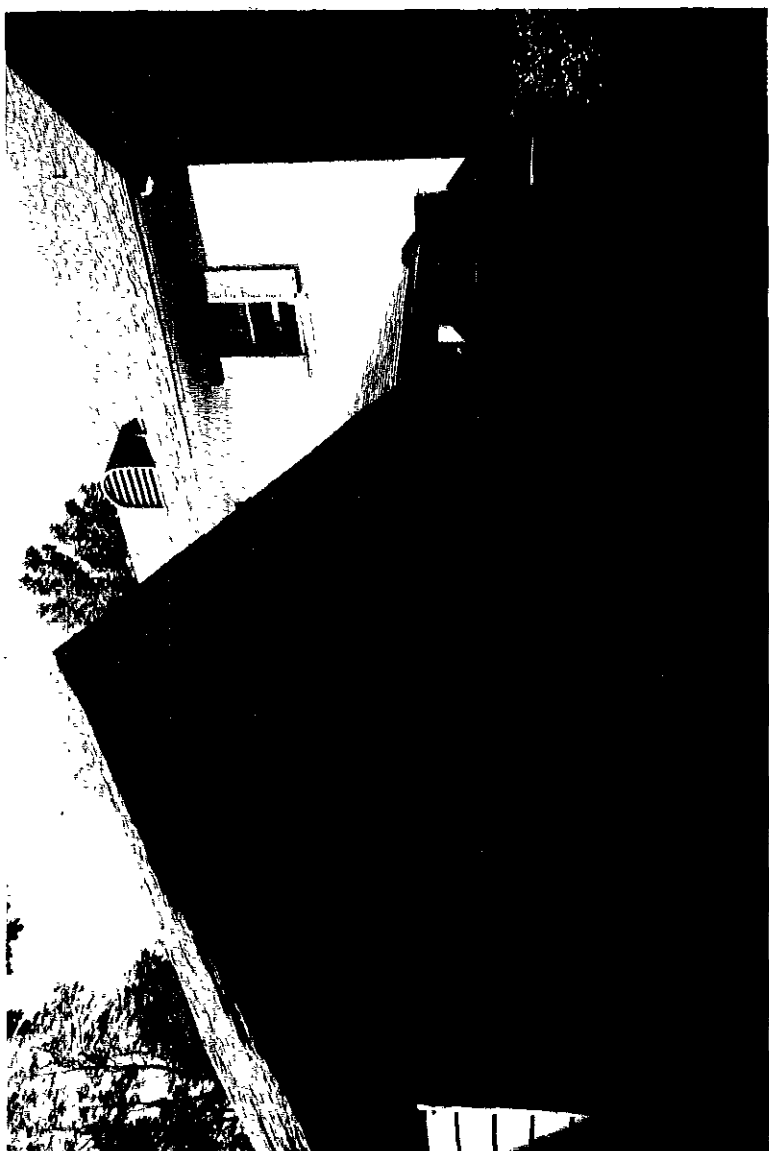
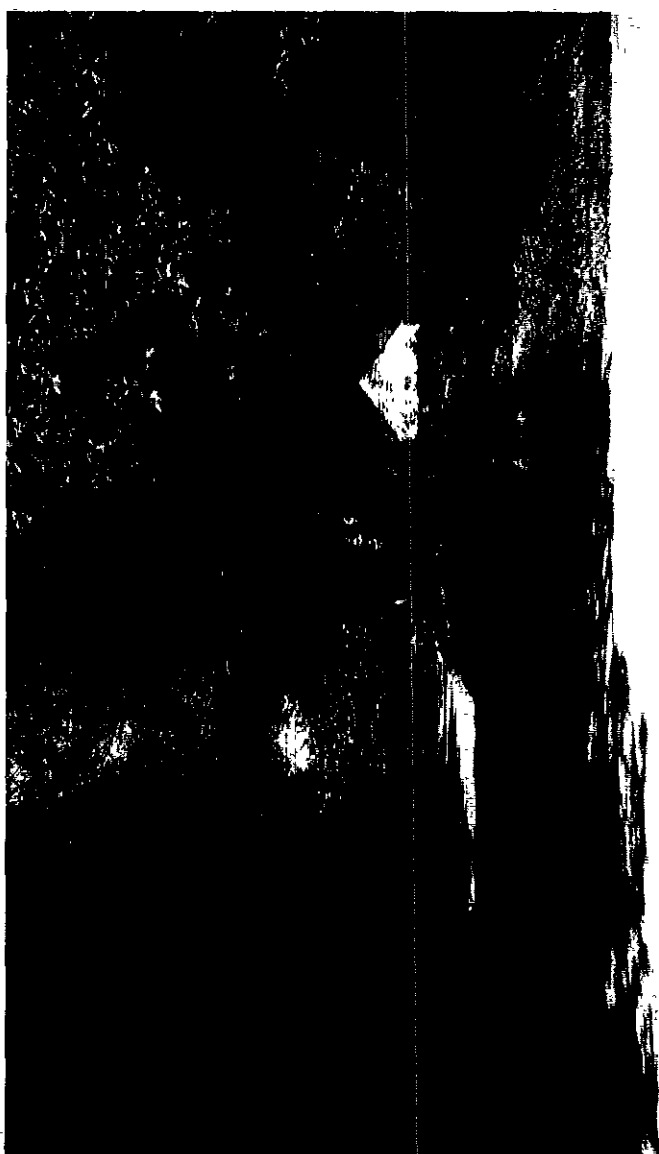
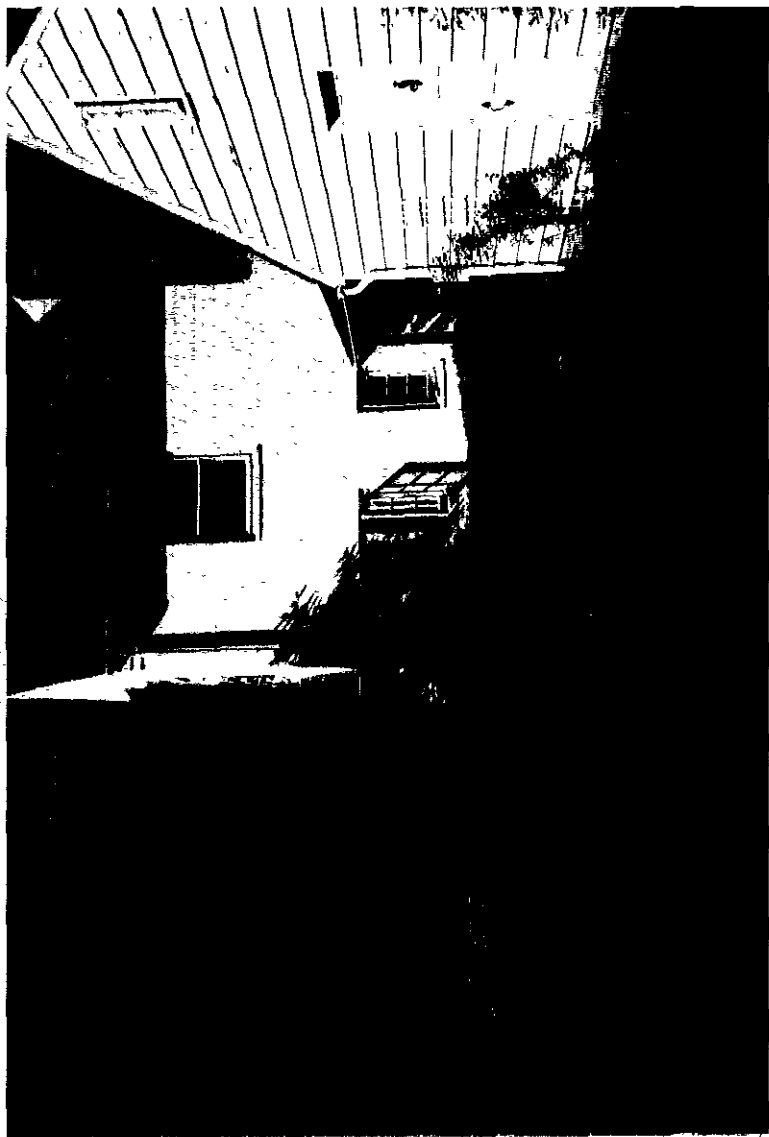












GARRISON FOREST SCHOOL  
S.M. 8048 - 371  
#03-07-000451

GARRISON FOREST SCHOOL  
S.M. 2633 - 001  
#03-07-000456

ESTATE OF FRANCES K. PRICE  
S.M. 8312 - 482  
#03-16-075276

GARRISON FOREST  
FUTURE ULTIMATE 60' RIGHT-OF-WAY  
ROAD  
20' WIDE MACADAM PAVING  
ZONE R.C.2  
ZONE R.C.5

95-347-A

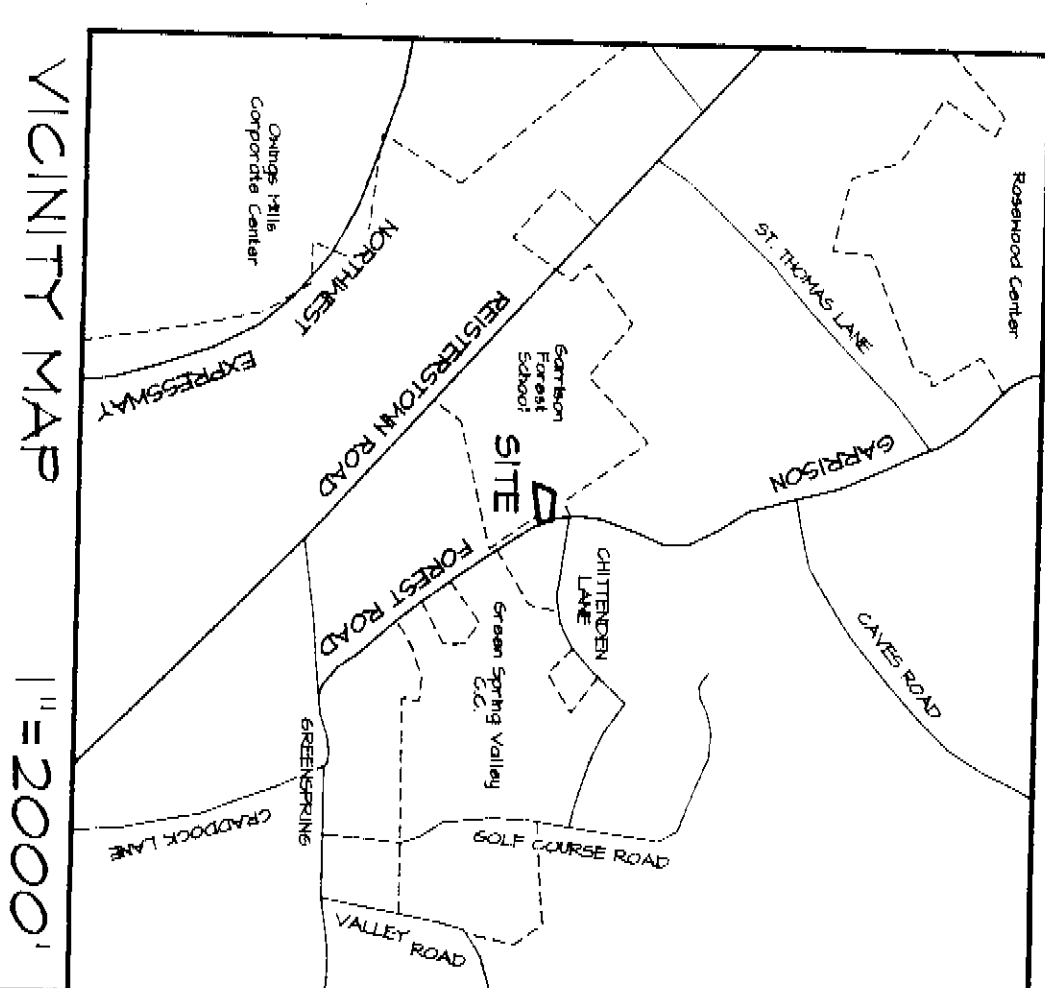
LIBER S.M. 4850 FOLIO 404  
TAX ACCT. NO. 03-12-054200  
TAX MAP 67 GRID 5 PARCEL 67  
THERE ARE NO ADJOINING DWELLINGS WITHIN 100 FEET  
OF THE PROPERTY LINE  
MAXIMUM BUILDING COVERAGE  
15% OF 52,742 SQ. FT. = 7,911 SQ. FT.  
PROPOSED MAXIMUM BUILDING COVERAGE = 2,877 SQ. FT.  
VARIANCE FROM SECTION 1404.9B3  
VARIANCE TO ALLOW A 94 FOOT SETBACK IN LIBER  
OF A 50 FOOT SETBACK ALONG THE SOUTHERN  
PROPERTY LINE

OWNER  
JEFFERY T. FLYNN  
REBECCA M. FLYNN  
214 GARRISON FOREST ROAD  
OWINGS MILLS, MARYLAND 21117  
410-581-5441

# 348

PLAN TO ACCOMPANY  
ZONING VARIANCE  
OF  
FLYNN PROPERTY  
LOCATED IN  
3rd 9th ELECTION DISTRICT  
3rd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=20' DATE: MARCH 22, 1995

GERHOLD, CROSS & ETZEL, LTD.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towsontown Boulevard  
Towson, Maryland 21286  
(410) 825-4470  
#1209011111



MERIDIAN BASED ON DEED  
LIBER S.M. 4850 - 404



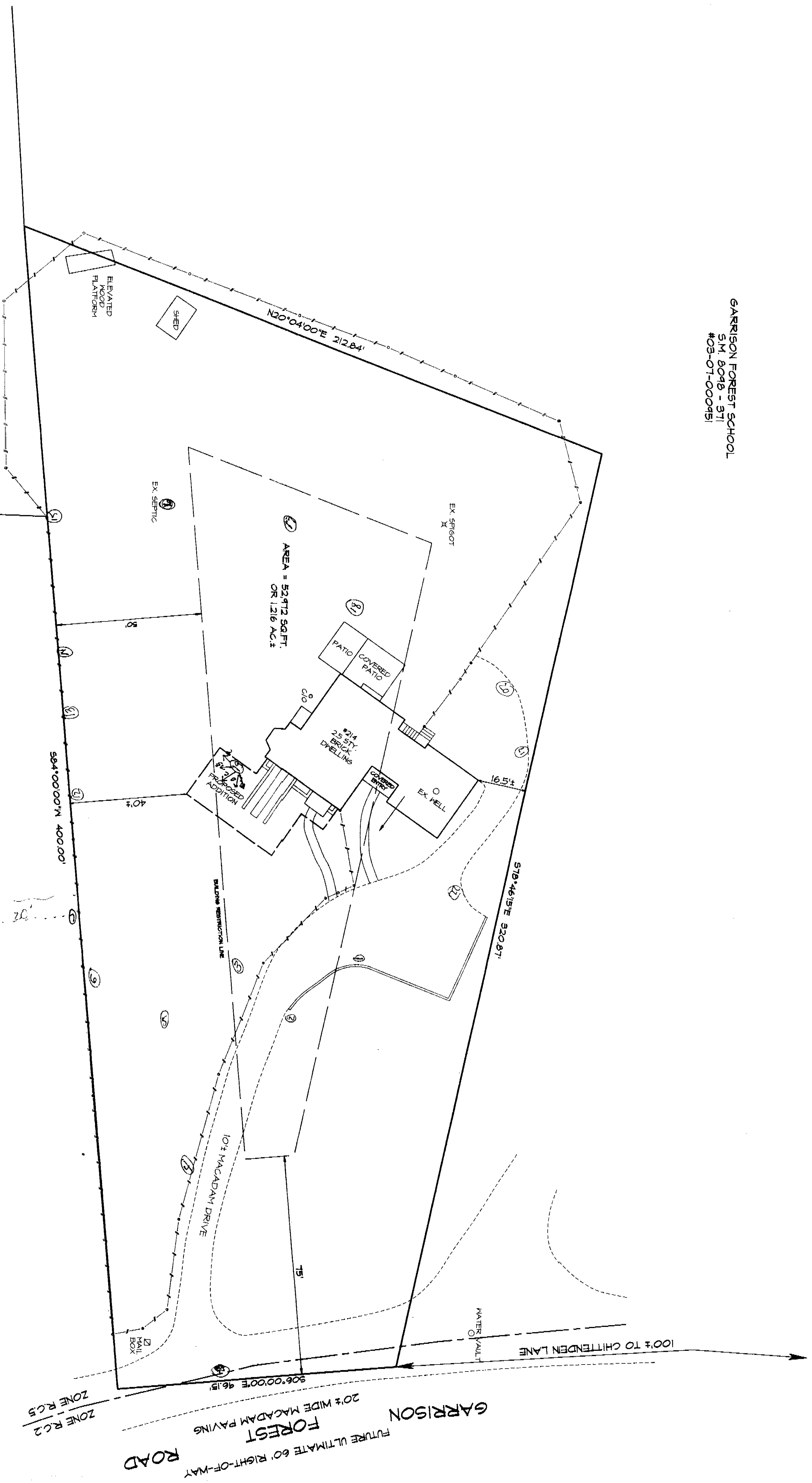
Photo 1



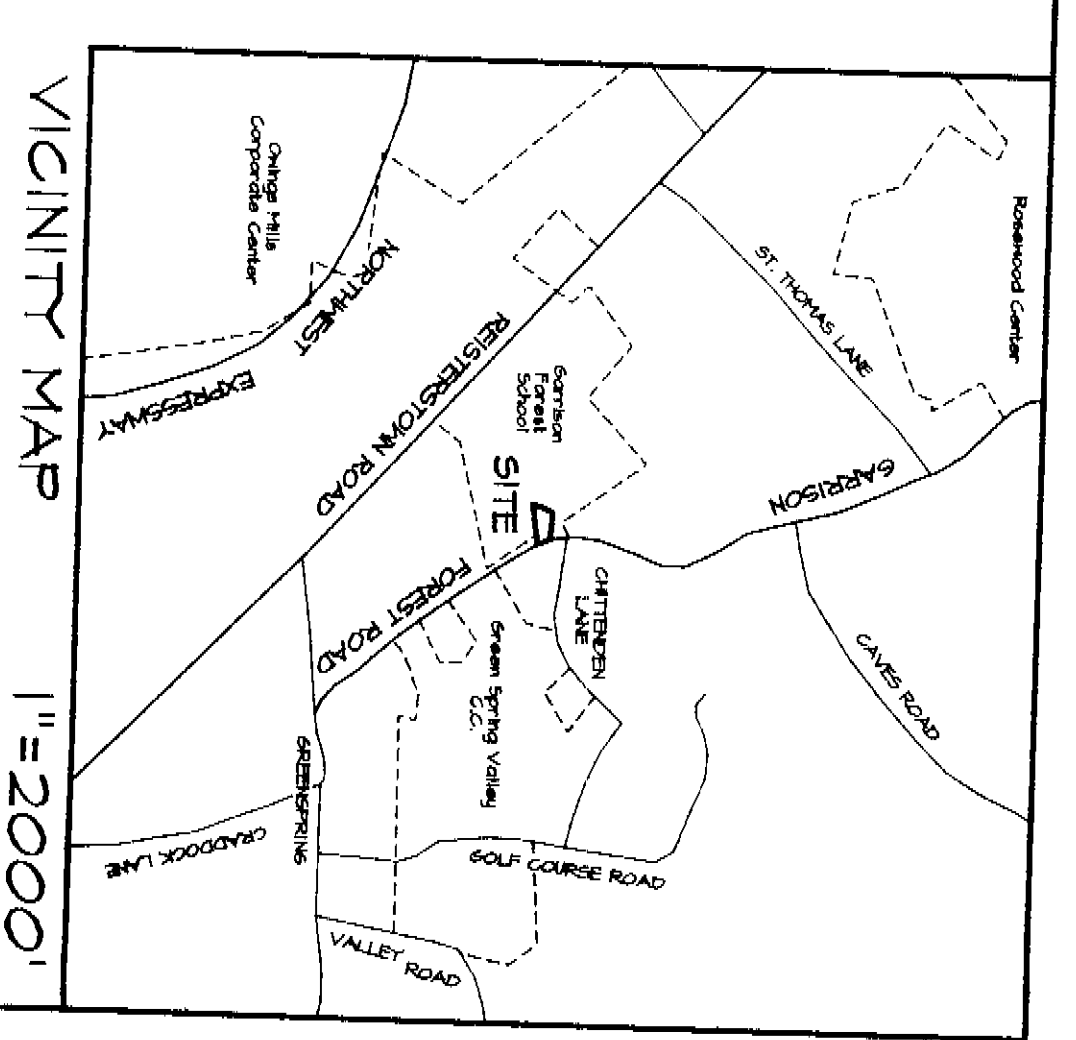
GARRISON FOREST SCHOOL  
S.M. 8048 - 371  
#03-07-000451

GARRISON FOREST SCHOOL  
S.M. 2683 - 001  
#03-07-000458

ESTATE OF FRANCES K. PRICE  
S.M. 8912 - 462  
#03-16-075276



MERIDIAN BASED ON DEED  
LIBER S.M. 4850 - 404



LIBER S.M. 4850 - 404  
TAX ACCT. NO. 205200  
TAX MAP 67 GRID 5 TRACEL 67  
THERE ARE NO ADJOINING DWELLINGS WITHIN 100 FEET  
OF THE PROPOSED ADDITION  
MAXIMUM BUILDING COVERAGE = 2677 SQ. FT.  
PROPOSED MAXIMUM BUILDING COVERAGE = 2677 SQ. FT.  
VARIANCE FROM SECTION 104.9B3  
VARIANCE TO LIBER S.M. 1700 SETBACK IN LIB.  
OF A 30 FOOT SETBACK ALONG THE SOUTHERN  
PROPERTY LINE

OWNER  
JENNIFER V. FLYNN  
JENNIFER V. FLYNN  
214 GARRISON FOREST ROAD  
OWINGS MILLS, MARYLAND 21117  
410-561-5444

PLAN TO ACCOMPANY  
ZONING VARIANCE  
OF  
FLYNN PROPERTY  
LOCATED IN  
9th BGD ELECTION DISTRICT  
5th COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=20' DATE: MARCH 22, 1995

GERHOLD, CROSS & ETZEL, LTD.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towson Town Boulevard  
Towson, Maryland 21286  
(410) 825-4470

UNPROCESSED

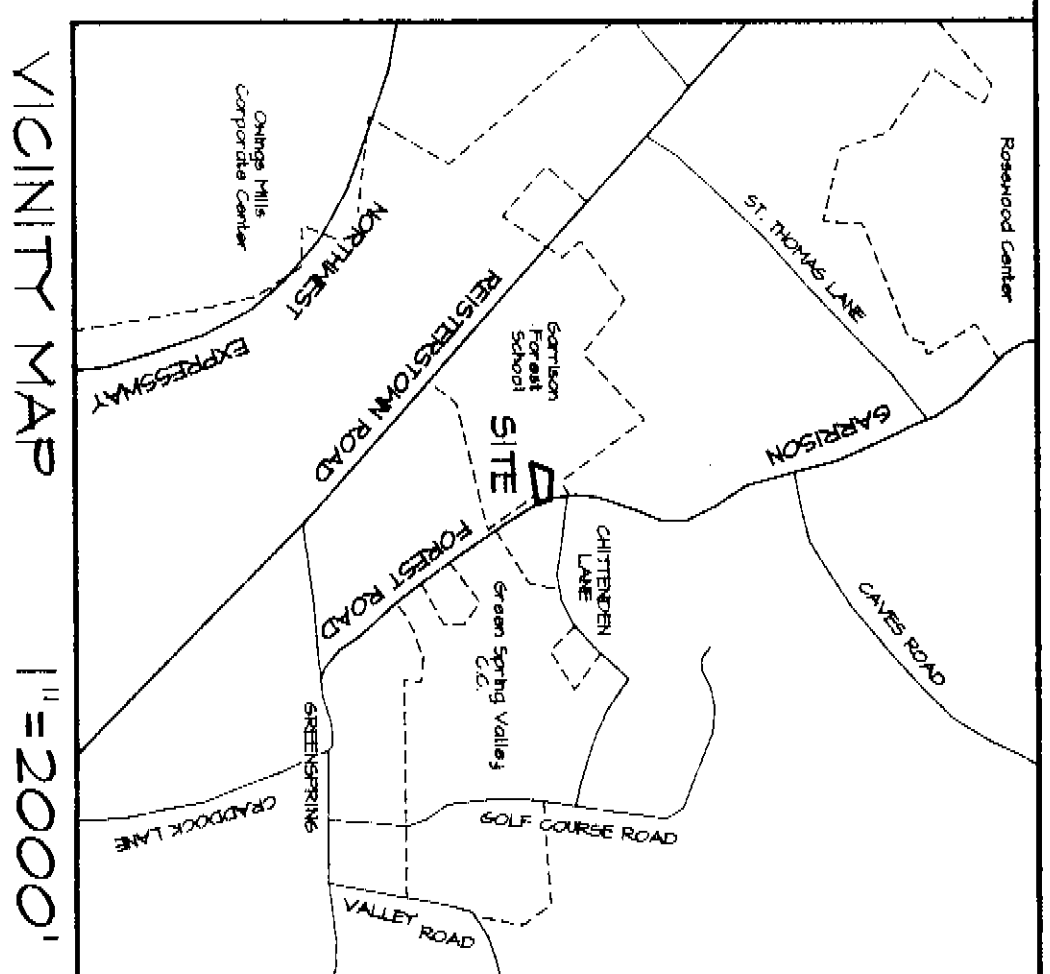
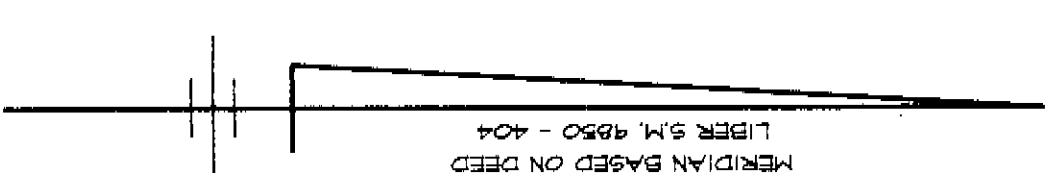
GARRISON FOREST SCHOOL  
S.M. 8048 - 511  
#03-01-000451

GARRISON FOREST SCHOOL  
S.M. 2635 - 001  
#03-01-000958

ESTATE OF FRANCES K. PRICE  
S.M. 8312 - 482  
#03-16-015216

GARRISON FOREST ROAD  
FUTURE ULTIMATE 60' RIGHT-OF-WAY  
20'± WIDE MACADAM PAVING  
ZONE R.C.2  
ZONE R.C.5

95-347-A



LIBER S.M. 1850 FOLIO 404  
TAX ACCT. NO. 03-12-054200  
TAX MAP 67 GRID 5 PARCEL 67  
THERE ARE NO ADJOINING DWELLINGS WITHIN 100 FEET  
OF THE PROPERTY LINE  
MAXIMUM BUILDING COVERAGE  
15% OF 52,742 SQ. FT. = 7,911 SQ. FT.  
PROPOSED MAXIMUM BUILDING COVERAGE = 2871 SQ. FT.  
VARIANCE FROM SECTION 1A04389  
VARIANCE TO ALLOW A 34 FOOT SETBACK IN LIBER  
OF A 50 FOOT SETBACK ALONG THE SOUTHERN  
PROPERTY LINE

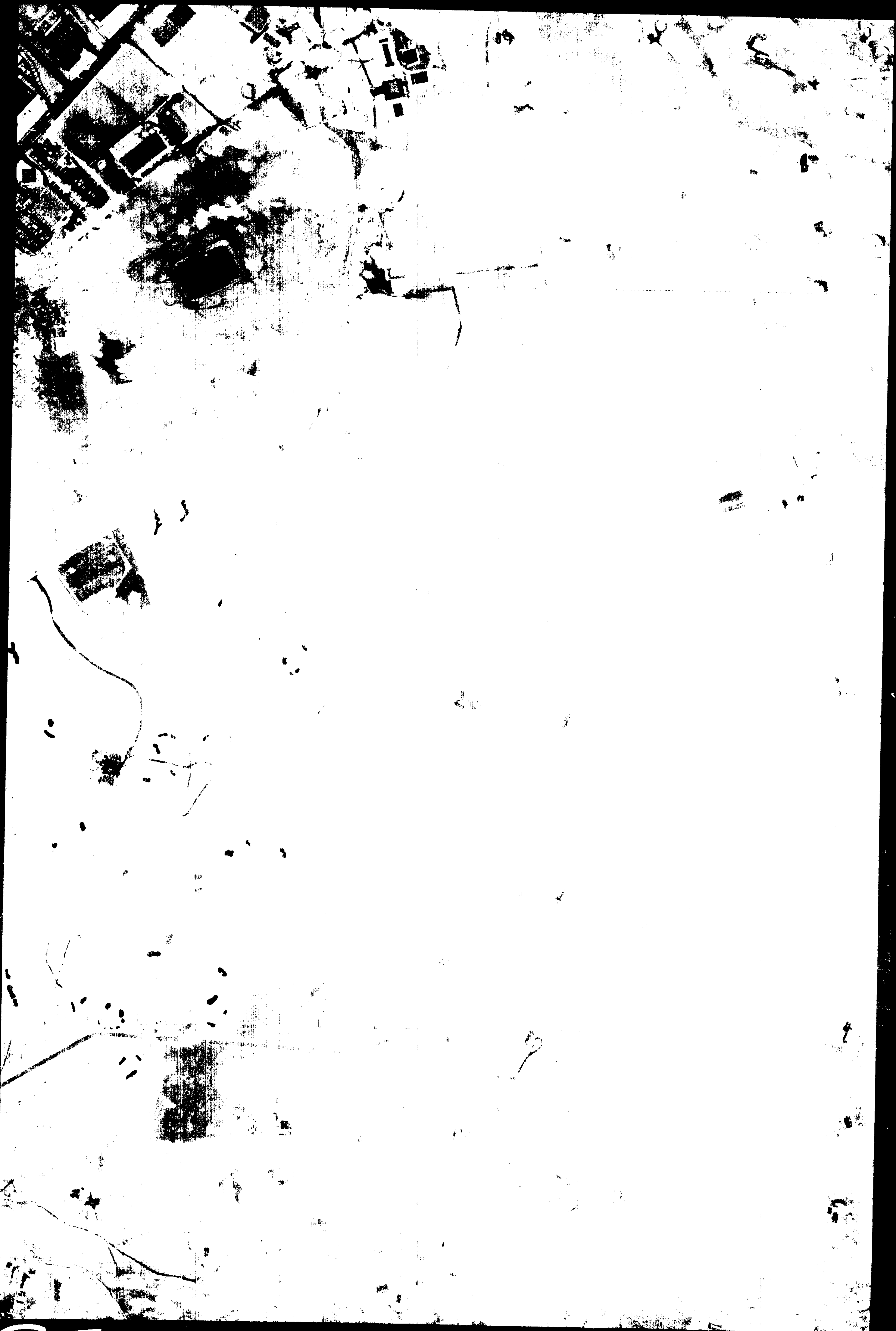
OWNER  
JEFFERY Y. FLYNN  
REBECCA M. FLYNN  
214 GARRISON FOREST ROAD  
OWINGS HILLS, MARYLAND 21117  
410-581-9444

Plan To Accompany Photographs

PLAN TO ACCOMPANY  
ZONING VARIANCE # 3115  
OF  
FLYNN PROPERTY  
LOCATED IN  
3rd 4th ELECTION DISTRICT  
5th COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=20' DATE: MARCH 22, 1995

GERHOLD, CROSS & ETZEL, LTD.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towsonown Boulevard  
Towson, Maryland 21286  
(410) 838-4470 MICROFILMED





BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	CHATTOLANEE	N.W.
DATE OF PHOTOGRAPHY	# 248	II-G
JANUARY 1995		

95-347-A



IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
W/S Garrison Forest Rd., 100' \* ZONING COMMISSIONER  
S of c/l Chittenden Lane \*  
214 Garrison Forest Road \*  
3rd Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \*  
Jeffrey Y. Flynn, et ux \* Case No. 95-347-A  
Petitioners \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 214 Garrison Forest Road near the Owings Mills section of Baltimore County. The Petition is filed by Jeffrey Y. Flynn and Rebecca M. Flynn, property owners. Variance relief is requested from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 39 ft. setback in lieu of a 50 ft. setback for a proposed addition. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

This matter was originally filed as a Petition for Administration Variance pursuant to Section 26-127 of the Baltimore County Code. That section allows the Zoning Commissioner to grant variance relief without a public hearing for owner/occupied residential properties, if a hearing is not requested by the owner of any adjacent property within 1,000 ft. of the subject lot. Notification of the request for administrative variance relief was posted on the property. Subsequently, a request for a public hearing was filed by both Louise Meledin, a neighboring property owner, and by representatives of the Estate of Frances K. Price which also owns property adjacent to the site. Thus, pursuant to the provisions of law, the matter was scheduled for public hearing.

Appearing at the public hearing held for this case were the property owners/Petitioners, Jeffrey Y. Flynn and Rebecca M. Flynn. Also present

was Bruce Doak, the Registered Property Line Surveyor from Gerhold, Cross and Etzel, Inc., who prepared the Petitioners' Exhibit No. 1, and Gene Gillespie, the Architect who designed the proposed addition. The Petitioners were represented by Deborah Dopkin, Esquire. William A. Bower and Sarah Price Stump, Co-Personal Representatives of the Estate of Frances K. Price, appeared in opposition, as did Louise Meledin.

Testimony and evidence presented was that the subject property is approximately 1.2 acres in area and is primarily zoned R.C.5, with a small sliver of R.C.2 zoning, adjacent to the front property line. This is a wedge shaped property which is located on Garrison Forest Road. The property is bordered to the side and rear by the campus of the Garrison Forest School. As noted above, the front of the site abuts Garrison Forest Road and the south side of the property adjoins an unimproved parcel owned by the Estate of Frances K. Price.

The subject site is improved with an existing 2-1/2 story brick dwelling and attached garage. A macadam driveway also provides vehicular access to the site from Garrison Forest Road and the property also contains both a covered patio and open patio area. The site is not served by public utilities, rather, an existing well is located within the garage and a septic field occupies the southwest corner of the site as shown on the site plan.

Mr. and Mrs. Flynn have owned the property for approximately two years and Mrs. Flynn is expecting a child. In view of their growing family, the Flynns have proposed constructing an addition onto the house to provide additional living space. The addition will be added to that part of the dwelling which faces Garrison Forest Road and the Price property. As shown on the site plan, the Petitioners propose a 39 ft. side yard setback from the addition to the property line, in lieu of the required 50

-2-

ft. The addition will be one story in height and will contain additional living quarters.

As a basis for the Petition for Variance, Mr. Doak and Mr. Flynn both testified as to the unusual shape of the property and other site constraints. As noted above, the site is wedge shaped with a limited side yard area. Moreover, the existing location of the septic field and well prohibit additional construction in those areas. Mr. Flynn indicated that he contemplated the construction of a two story addition but determined that a one story addition would be more architecturally compatible with the house and be of less impact on neighboring properties.

Proffered testimony from Mr. Gillespie is that the proposed addition, where contemplated, would be architecturally consistent with the scheme and flow of the dwelling. Mr. Gillespie's proffered testimony was that it would be problematic to place the addition elsewhere on the property. The Petitioners also submitted numerous photographs of the subject site and its environs.

After hearing the Petitioners' plans, the Protestants indicated that they were not entirely opposed to the request. Apparently, there has been some mis-communication between the Flynns and their neighbors as to the proposed plans.

As to Ms. Meledin, she agreed that a one story addition was preferable to a two story addition but suggested that some landscaping be added. Although this concern is well taken, the photographs show a sufficient amount of existing buffering in the side yard of the property. Moreover, few trees will be lost due to the construction. For these reasons, I will not order additional buffering but will leave it to the judgment of the Petitioners to install such landscaping as they deem appropriate.

-3-

As to the representatives of the Price Estate, they are concerned over potential impacts of the addition on their unimproved property. I do not believe that there will be any adverse impact. Moreover, the grant of this variance is not a precedent for other variances in the area. Any such Petition must be evaluated independently.

Based on the testimony and evidence presented, I am persuaded that the Petition for Variance should be granted. In my view, the addition, where proposed, will not cause adverse impact on the surrounding locale. Moreover, the site constraints and the unusual configuration of the property present unique factors which justify the granting of the variance pursuant to the requirements in Section 307 of the BCZR and the case law. Thus, I am persuaded that the Petitioners have met their burden and that the Petition for Variance should and must be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.


THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of June, 1995 that a variance from Section 1A04.3.B.3 of the BCZR to allow a 39 ft. setback in lieu of a 50 ft. setback, for a proposed addition, be and is hereby GRANTED subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mm

-4-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
  
Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 14, 1995

Deborah C. Dopkin, Esquire  
Rosario, Silverman and Kotz, P.A.  
Suite 220, 502 Washington Avenue  
Towson Maryland 21204

RE: Case No. 95-347-A  
Petition for Zoning Variance  
Property: 214 Garrison Forest Road  
Jeffrey Y. Flynn and Rebecca M. Flynn, Petitioners

Dear Mrs. Dopkin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
at:  
cc: Mr. and Mrs. Jeffrey Flynn, 214 Garrison Forest Road, 21117  
cc: Mr. Bruce Doak, Gerhold, Cross and Etzel, Ltd.  
cc: Mr. William A. Bower c/o Estate of Frances K. Price  
Mrs. Sarah Price Stump  
Mrs. Louise Meledin



## Petition for Variance

Administrative #348  
95-347-A  
to the Zoning Commissioner of Baltimore County

for the property located at 214 Garrison Forest Road  
which is presently zoned RCS

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A04.3B.3

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons. (Indicate hardship or practical difficulty)

Variance to allow a 39 foot setback in lieu of a 50 foot setback on southern property line  
(SEE AFFIDAVIT)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser(s)

Type or Print Name

Signature

Address

City

State

Phone No.

City

State

Phone No.

City

State

Phone No.

With do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Type or Print Name

Signature

Address

City

State

Phone No.

City

State

Phone No.

City

State

Phone No.

City

State

Phone No.

## Affidavit in support of Administrative Variance

95-347-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) have competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at

214 Garrison Forest Road  
Owings Mills, Maryland 21117

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Attach separate affidavits for each Affiant.)

1. Alternative locations of the addition were explored and were rejected based on the following reasons: 1) Alternatives would greatly reduce outside play area 2) Views from existing living room would be lost 3) Encroachment onto existing septic area and clean-out 4) Proved to be more costly than 900 sq. ft. addition and 5) Not close to vehicular access and parking. The closest dwelling is 500' away.  
See letter dated 29 March 1995 from W. Eugene Gillespie, AIA

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to me:

I HEREBY CERTIFY, this 20th day of June, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

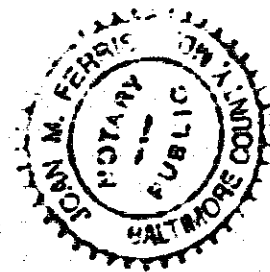
Jeffrey Y. Flynn and Rebecca M. Flynn

the Affiant(s) herein, personally known or satisfactorily identified in me as such Affiant(s), and made oath in due form of law that the matters and facts hereinbefore set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

3-24-95

My Commission Expires: June 20, 1996



ROBERT T. LANGSON  
DENNIS H. MILLER  
EDWARD F. HENNING-LOWE  
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL  
Registered Professional Land Surveyors  
SUITE 100  
380 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318  
410-823-4470  
FAX 410-823-4475

March 14, 1995

Zoning Description  
214 Garrison Forest Road

Beginning at a point in the centerline of Garrison Forest road, which future ultimate right-of-way is 60 feet, at a distance of 100 feet, more or less, south of the centerline of Chittenden Lane. Thence the following four courses and distances, viz:

South 06 degrees 00 minutes 00 seconds East 96.15 feet, thence  
South 84 degrees 00 minutes 00 seconds West 400.00 feet, thence  
North 20 degrees 04 minutes 00 seconds East 212.84 feet, and  
South 78 degrees 46 minutes 15 seconds East 320.87 feet to the point of beginning.

Containing 1.216 Acres of land, more or less.

This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.



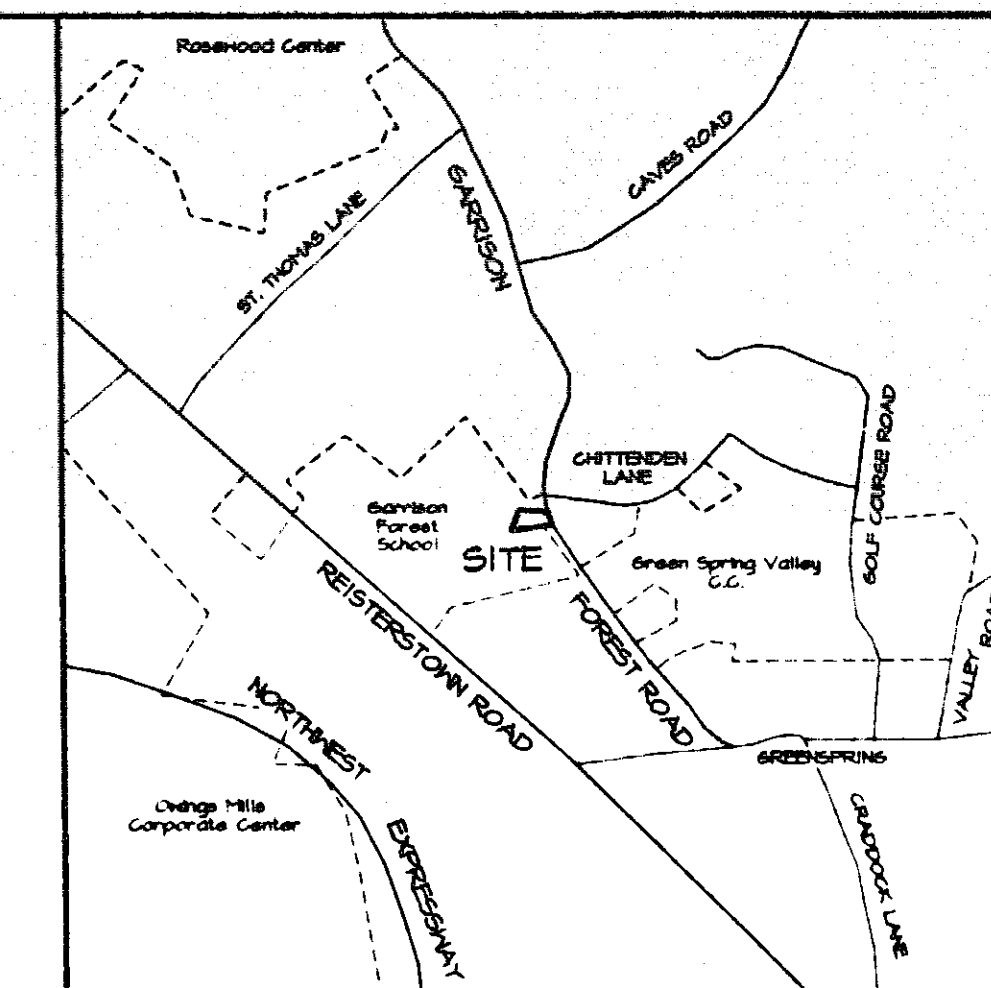
# 348



GARRISON FOREST SCHOOL  
S.M. 8098 - 371  
#03-07-000951

GARRISON FOREST SCHOOL  
G.L.B. 2633 - 001  
#03-07-000958

ESTATE OF FRANCES K. PRICE  
S.M. 8312 - 482  
#03-16-075276



VICINITY MAP 1"=2000'

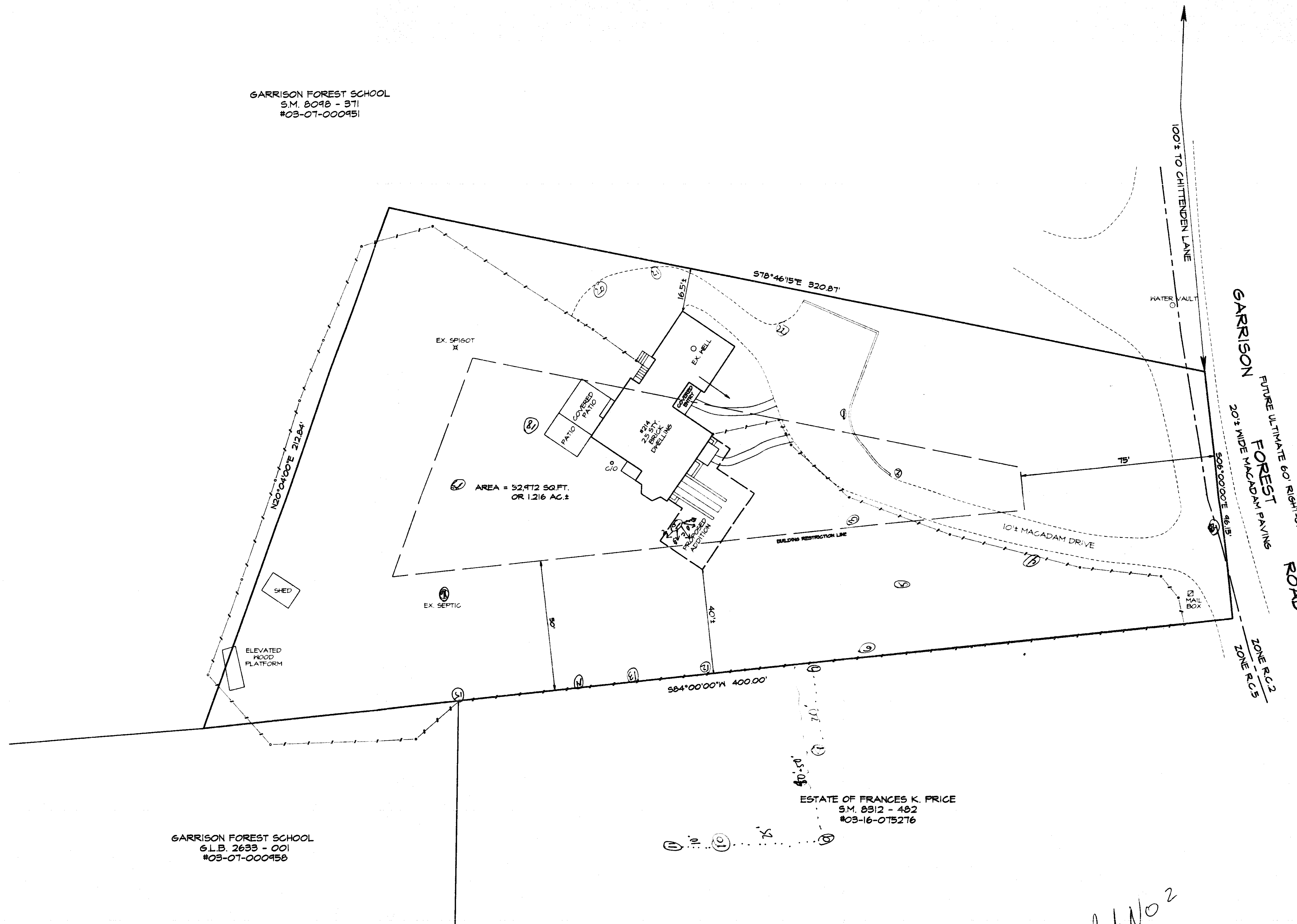
LIBER S.M. 9250 FOLIO 404  
TAX ACCT. No. 08-12-059200  
TAX MAP 67 GRID 5 PARCEL 67  
THERE ARE NO ADJOINING DWELLINGS WITHIN 100 FEET  
OF THE PROPERTY LINE.  
MAXIMUM BUILDING COVERAGE  
15% OF 52,912 SQ.FT. = 7946 SQ.FT.  
PROPOSED MAXIMUM BUILDING COVERAGE = 2871 SQ.FT.

VARIANCE FROM SECTION 1A04.9B.3  
VARIANCE TO ALLOW A 54 FOOT SETBACK IN LIEU  
OF A 50 FOOT SETBACK ALONG THE SOUTHERN  
PROPERTY LINE

OWNER  
JEFFERY Y. FLYNN  
REBECCA M. FLYNN  
214 GARRISON FOREST ROAD  
OWINGS MILLS, MARYLAND 21117  
410-581-8444

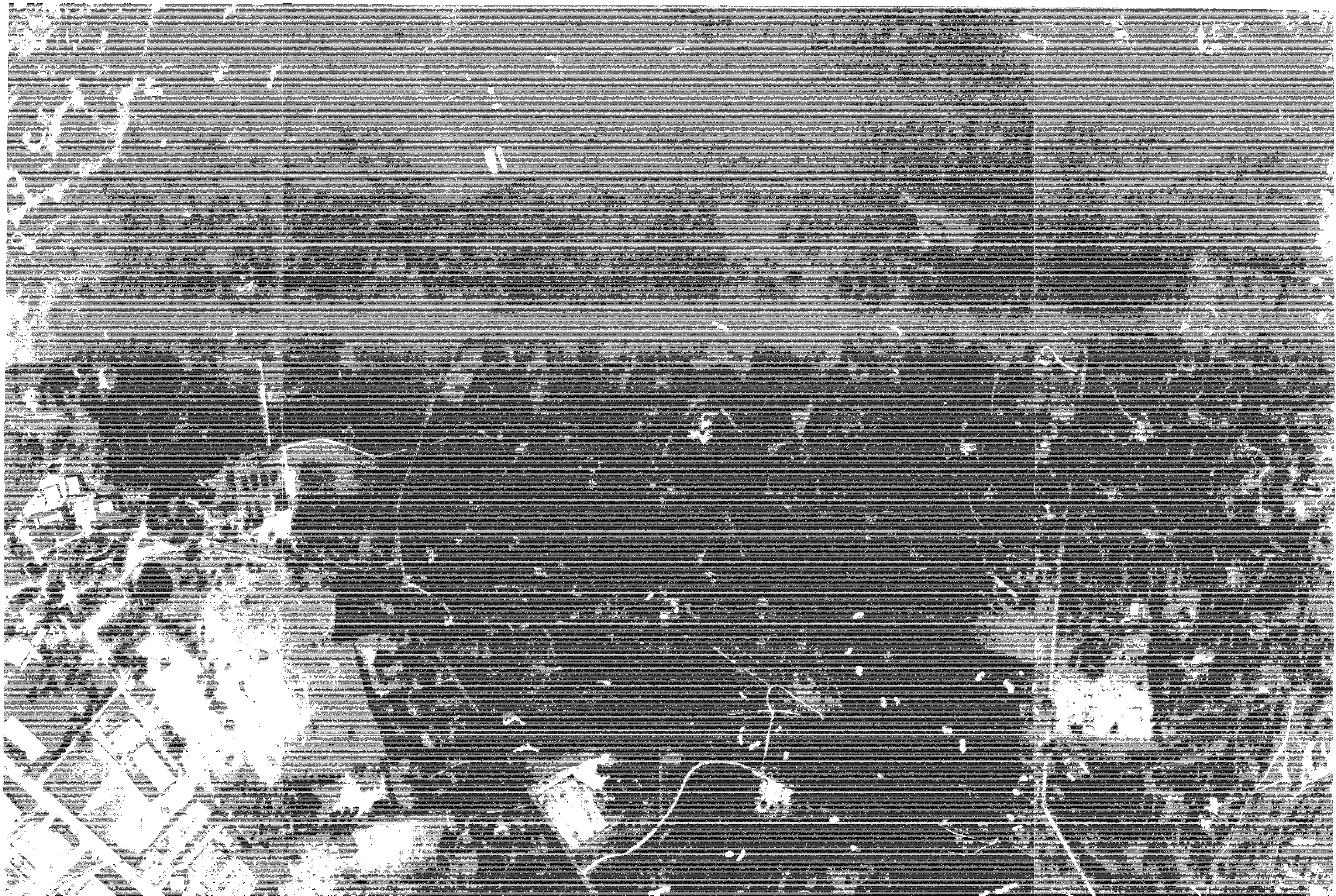
PLAN TO ACCOMPANY  
ZONING VARIANCE  
OF  
FLYNN PROPERTY  
LOCATED IN  
3rd ELECTION DISTRICT  
3rd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=20' DATE: MARCH 22, 1995

**GERHOLD, CROSS & ETZEL, LTD.**  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
520 East Towsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470



Ref No 2





95-347-A

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	CHATTOLANEE	NW
DATE OF PHOTOGRAPHY JANUARY 1966	5-2-68	II-G

MICROFILMED



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd Date of Posting: 4/14/95  
Posted for: Variances  
Petitioner: Jeffery & Rebecca Flynn  
Location of property: 214 Garrison Forest Rd.  
Location of Sign: Reading Room on property being taken  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 4/21/95  
Number of Signs: 1

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd Date of Posting: 5/13/95  
Posted for: Variances  
Petitioner: Jeffery & Rebecca Flynn  
Location of property: 214 Garrison Forest Rd.  
Location of Sign: Reading Room on property being taken  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 5/18/95  
Number of Signs: 1

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the proposed rezoning of the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204 as follows:

Case: 95-347-A (Item 348)  
214 Garrison Forest Road  
W/S Garrison Forest Road, 100' S of c/l Chittenden Lane  
3rd Election District  
3rd Councilmanic  
Legal Owner: Jeffrey Y. Flynn and Rebecca M. Flynn  
Hearing: Monday, June 5, 1995 at 9:00 a.m. in Rm. 118, Old Courthouse

Variance to allow a 39-foot setback in lieu of a 50-foot setback on southern property line.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.  
(2) For information concerning the hearing, please call 887-3391.  
5/12 May 11.

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., May 12, 1995  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 11, 1995.

THE JEFFERSONIAN,  
A. Henickson  
LEGAL AD. - TOWSON

**REQUEST FOR HEARING**

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 95-347-A  
Petitioner(s): JEFFERY Y. FLYNN  
Location: 214 GARRISON FOREST RD.

1/2 ESTATE OF FRANCES K. PRICE  
(1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100) (101) (102) (103) (104) (105) (106) (107) (108) (109) (110) (111) (112) (113) (114) (115) (116) (117) (118) (119) (120) (121) (122) (123) (124) (125) (126) (127) (128) (129) (130) (131) (132) (133) (134) (135) (136) (137) (138) (139) (140) (141) (142) (143) (144) (145) (146) (147) (148) (149) (150) (151) (152) (153) (154) (155) (156) (157) (158) (159) (160) (161) (162) (163) (164) (165) (166) (167) (168) (169) (170) (171) (172) (173) (174) (175) (176) (177) (178) (179) (180) (181) (182) (183) (184) 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BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: April 20, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 341, 342, 345, 348, 349, and 351

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by: *Jeffrey M. Long*  
Division Chief: *Carol L. Keller*  
PK/JL

ITEM341/PZONE/ZAC1

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW  
LOCATION: DISTRIBUTION MEETING OF APR. 17, 1995.  
Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 341, 342, 344, 345, 347, 348, 349, 350 AND 351.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F  
cc: File



Printed on Recycled Paper

Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No: 348 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2256 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

*Joyce Watson*  
ZAC Comments  
BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM  
FROM: DEPRM  
Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: 4/28/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 341  
344  
345  
348  
349  
350  
351

LS:sp

LETTY2/DEPRM/TXTSPB

LAW OFFICES  
ROSOLIO, SILVERMAN & KOTZ, P.A.  
SUITE 200, NOTTINGHAM CENTRE  
562 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204-4513  
TELEPHONE 410-330-7100  
FAX NO. 410-330-7107

DEBORAH C. DOPKIN

May 22, 1995

HAND DELIVERED

Arnold Jablon, Director  
Department of Zoning Administration  
and Development Management  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Item No. 348, Case No. 95-347A  
Petition for Variance - 214 Garrison Forest Road

Dear Mr. Jablon:

This is to advise you that I have been contacted by Mr. and Mrs. Jeffrey Y. Flynn, the Petitioners in the above captioned matter, to act on their behalf at the hearing scheduled for June 5, 1995 at 9:00 a.m. Please enter my appearance as counsel for Petitioners. In connection with this matter, I would appreciate your office preparing copies of all documents, drawings, correspondence, and other matters which may be part of this file, since I would like to pick them up at the earliest opportunity.

Thank you for your attention to this matter.

Very truly yours,

ROSOLIO, SILVERMAN & KOTZ, P.A.

*Deborah C. Dopkin*  
Deborah C. Dopkin

DCD/ef

cc: Mr. and Mrs. Jeffrey Y. Flynn

RECEIVED  
MAY 22 1995  
ZADM

Louise Y. Meledin  
Attorney at Law, C.P.A.  
396 West Pennsylvania Avenue  
Towson, Maryland 21204-4413  
(410) 494-8833

Heidi L. Meledin  
Of Counsel  
(410) 494-8833

May 1, 1995

Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204

Re: 214 Garrison Forest Road

Gentlemen:

I hereby respectfully request a Hearing on the above-referenced Petition for Variance.

I live at 208 Garrison Forest Road, the closest residence south of 214 Garrison Forest.

Thank you for your consideration of my request.

Sincerely yours,

*Louise Y. Meledin*  
Louise Y. Meledin

0416m  
cc: Mr. and Mrs. Jeffrey Flynn

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
BARRY DEAN - GEORGE CARROLL & ERIC, INC.	3205 TOWSON ROAD, TOWSON, MD 21206
KEVIN GILLISPIE - ARCHITECT	113 ST. JAMES RD BALTIMORE, MD 21212
Self Flynn	214 Garrison Forest Rd
Deborah Flynn	214 Garrison Forest Rd, P.O. Box 21117
Deborah Flynn	502 WASHINGTON AVE 21204

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
William A. Bower for the Estate of Frances K. Price	501st National Bank of MD 263 Charles St. Balto, MD 21201
Sarah Price Stamp	4 Clifton Rd, Clifton Mills, MD 21117
Louise Meledin	208 Garrison Forest Road

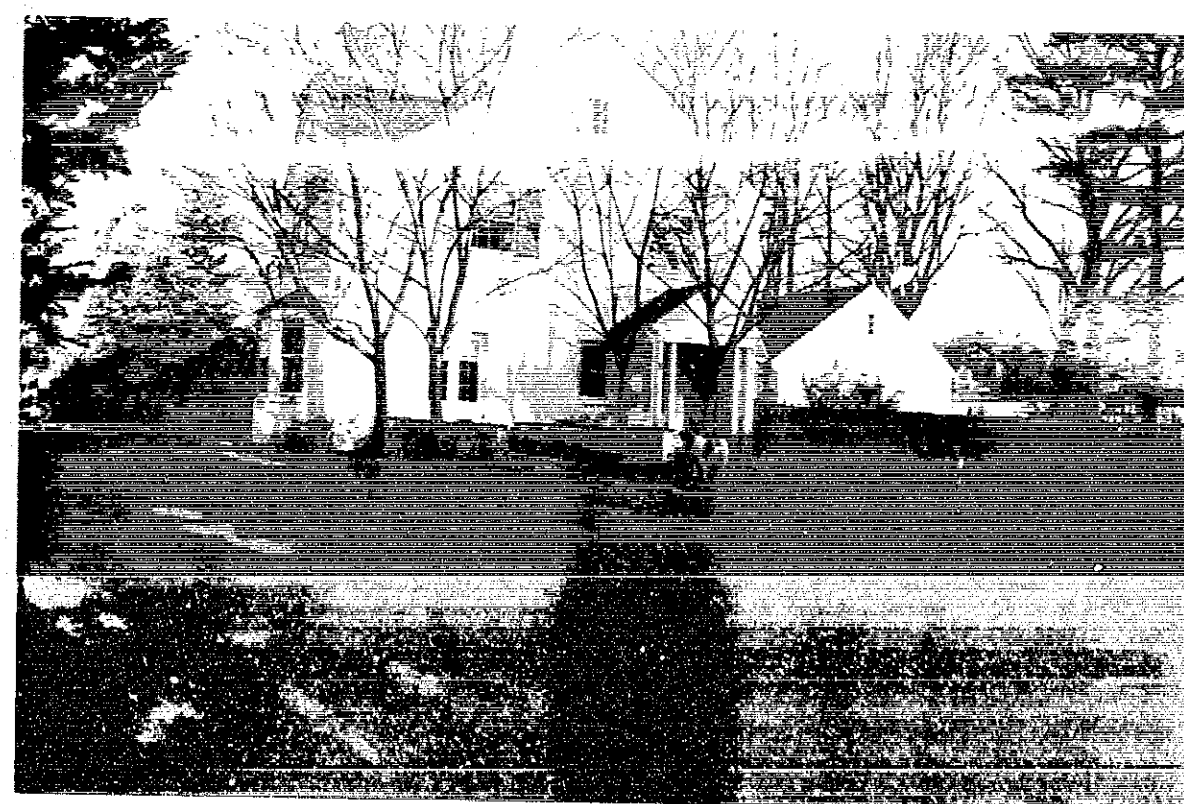




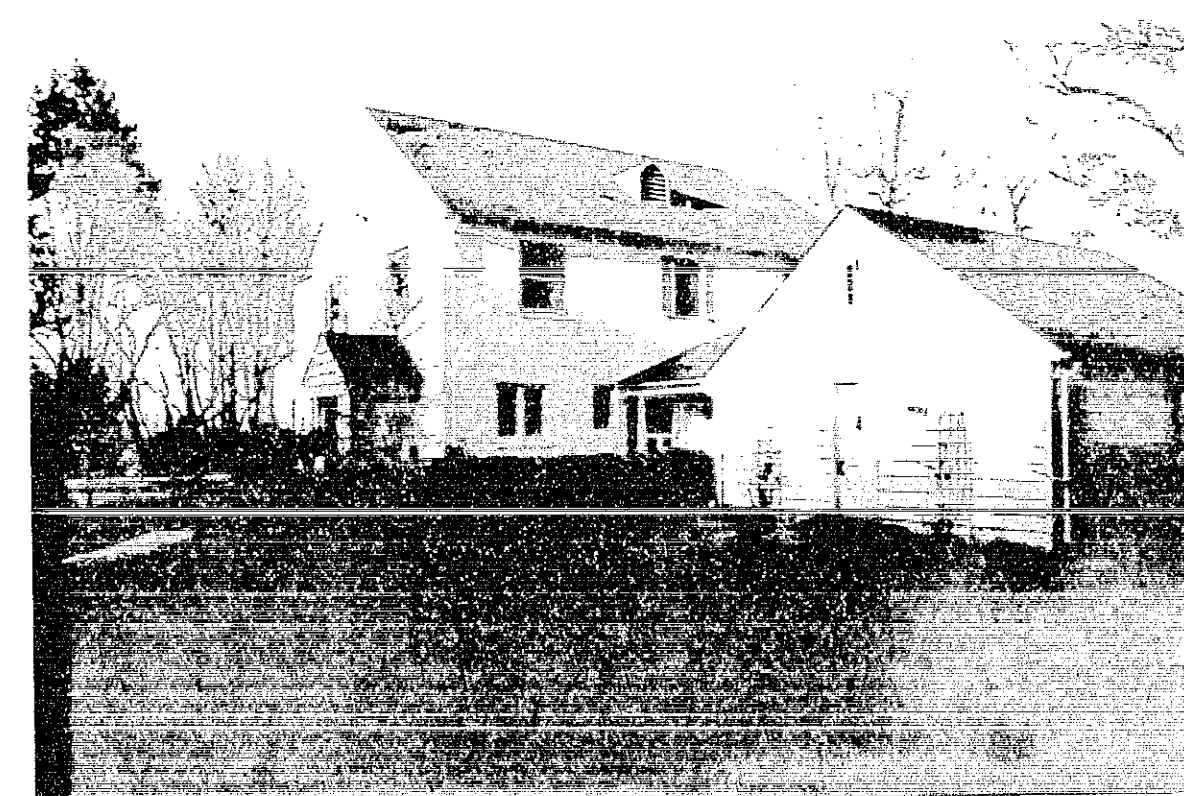
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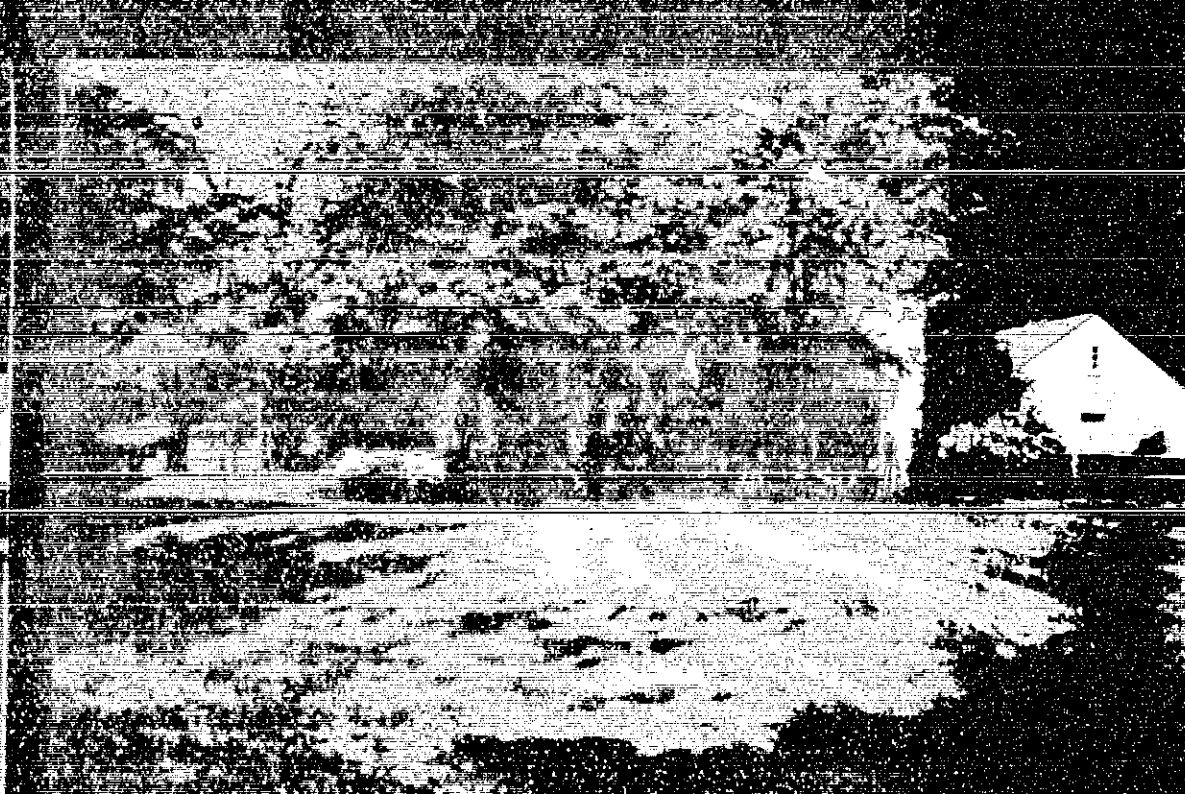
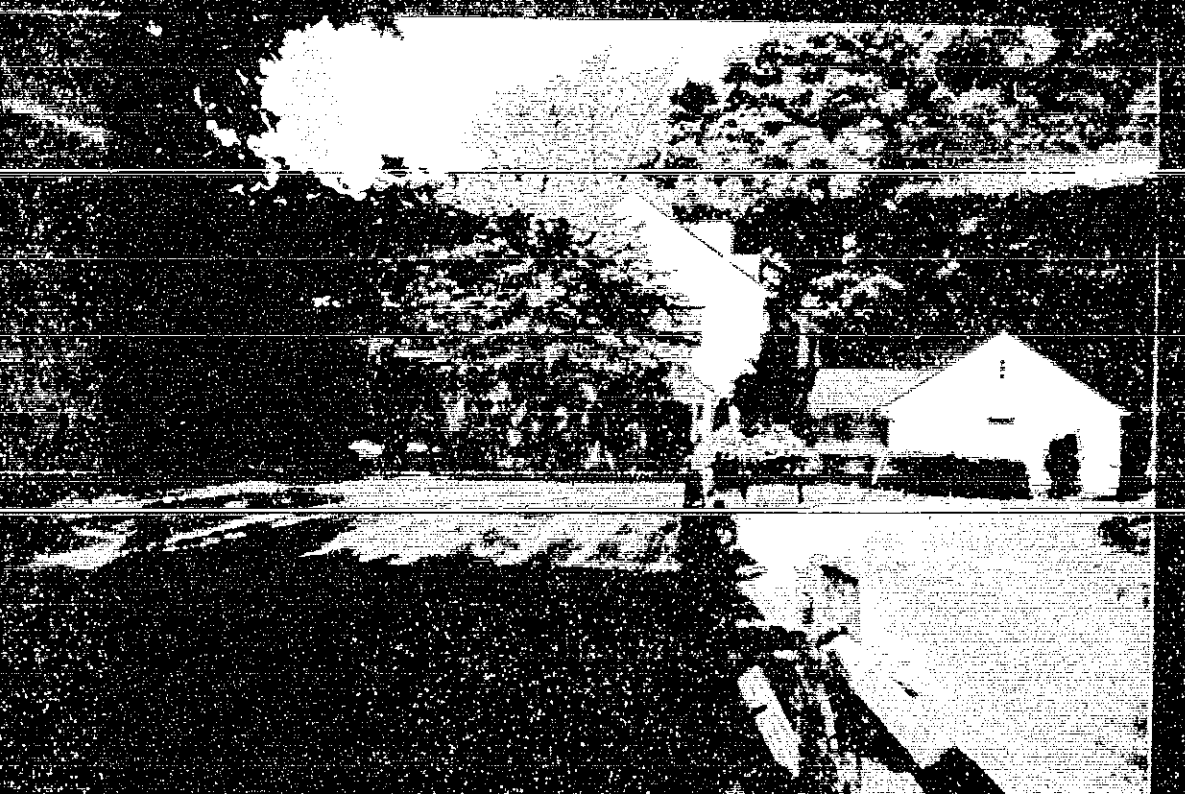
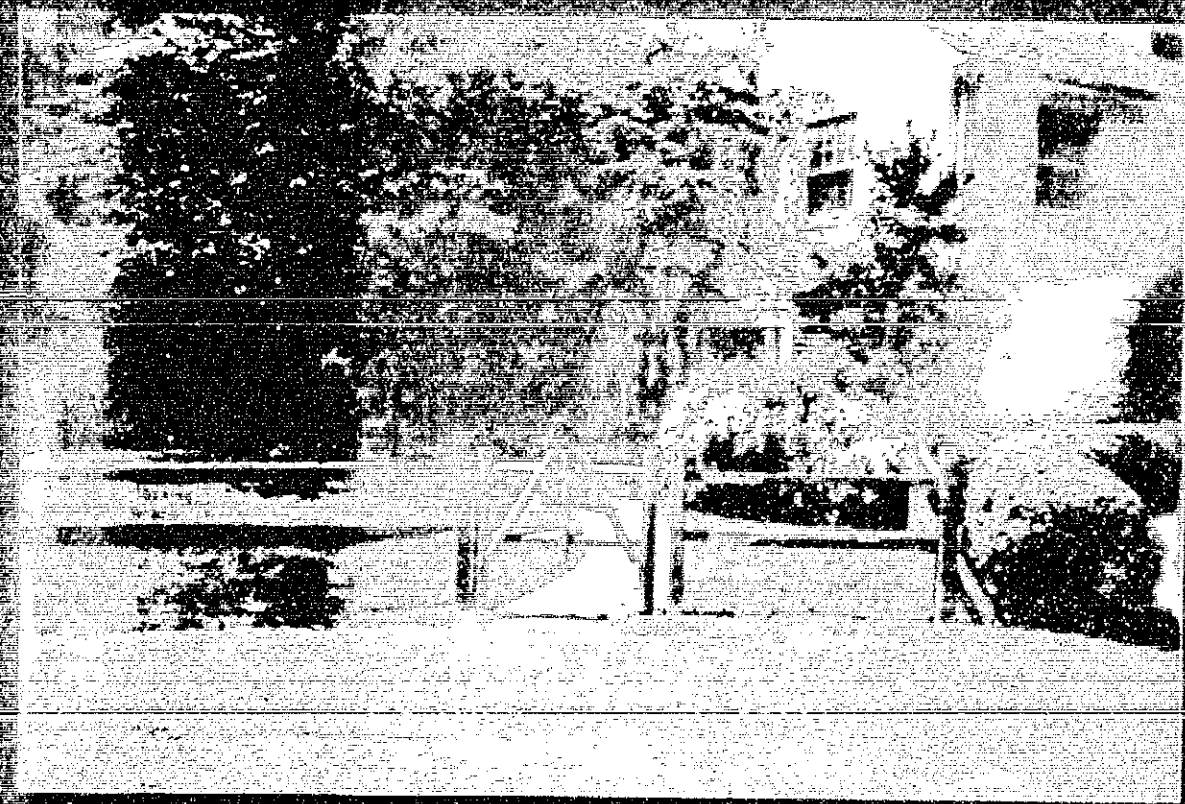
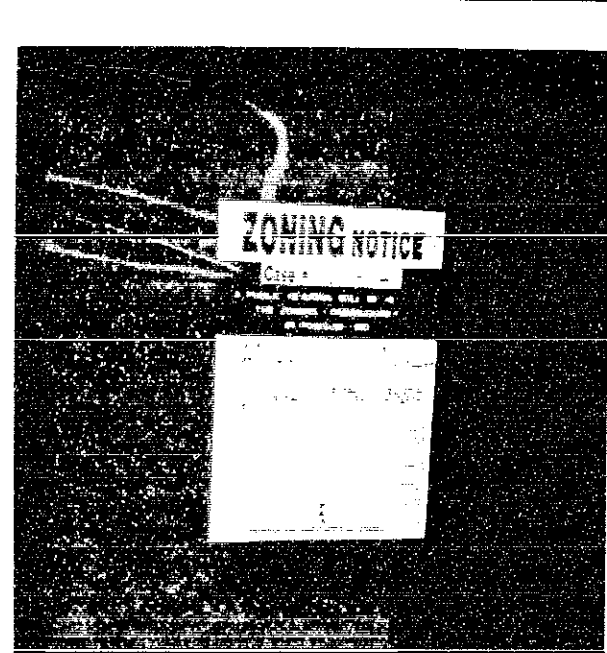
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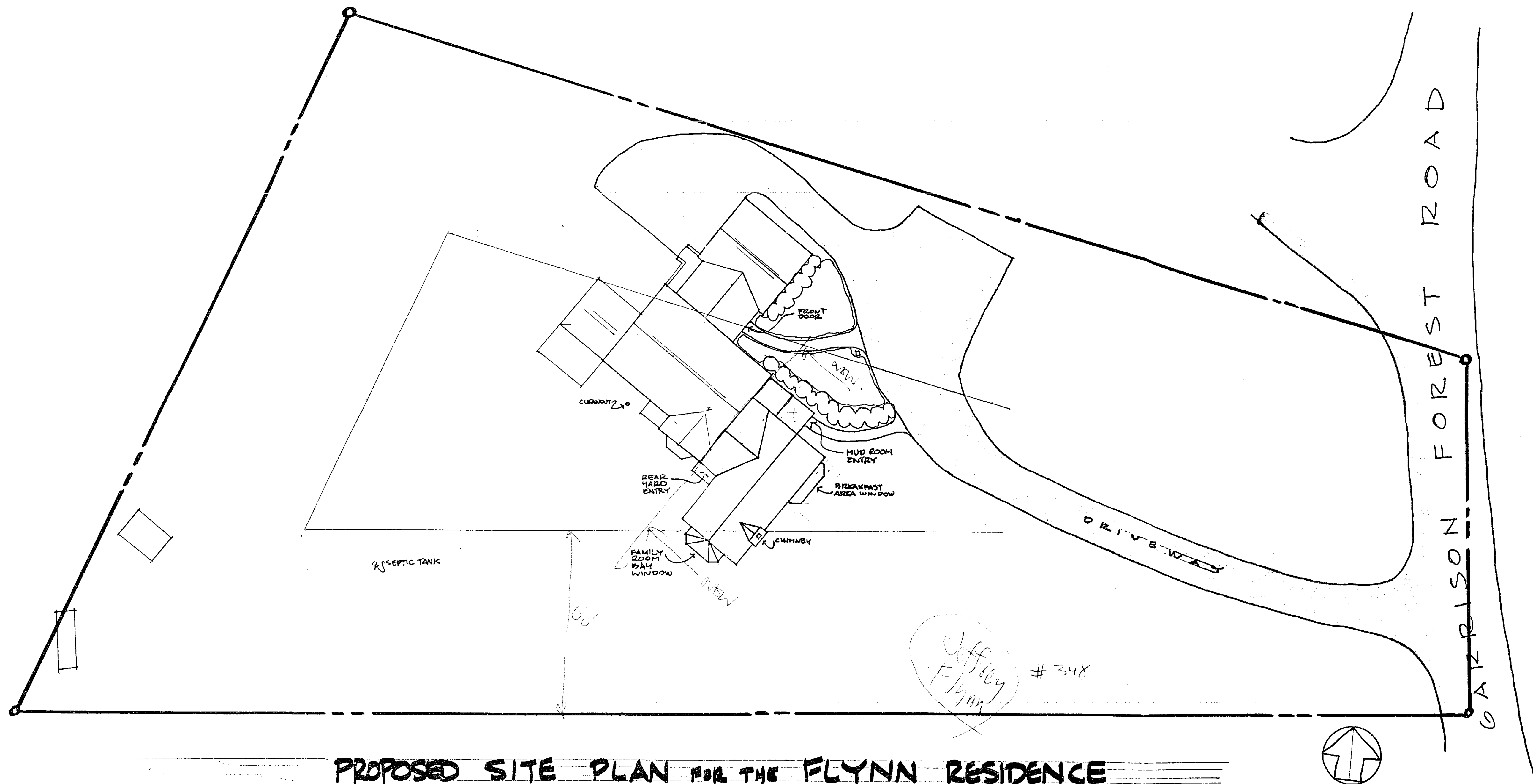
95-347-A











# PROPOSED SITE PLAN FOR THE FLYNN RESIDENCE

214 GARRISON FOREST ROAD

SCALE: 1/16" = 1'-0"

GENE GILLESPIE

OWINGS MILLS, MD 21117

DATE: 26 JAN 1995

ARCHITECT

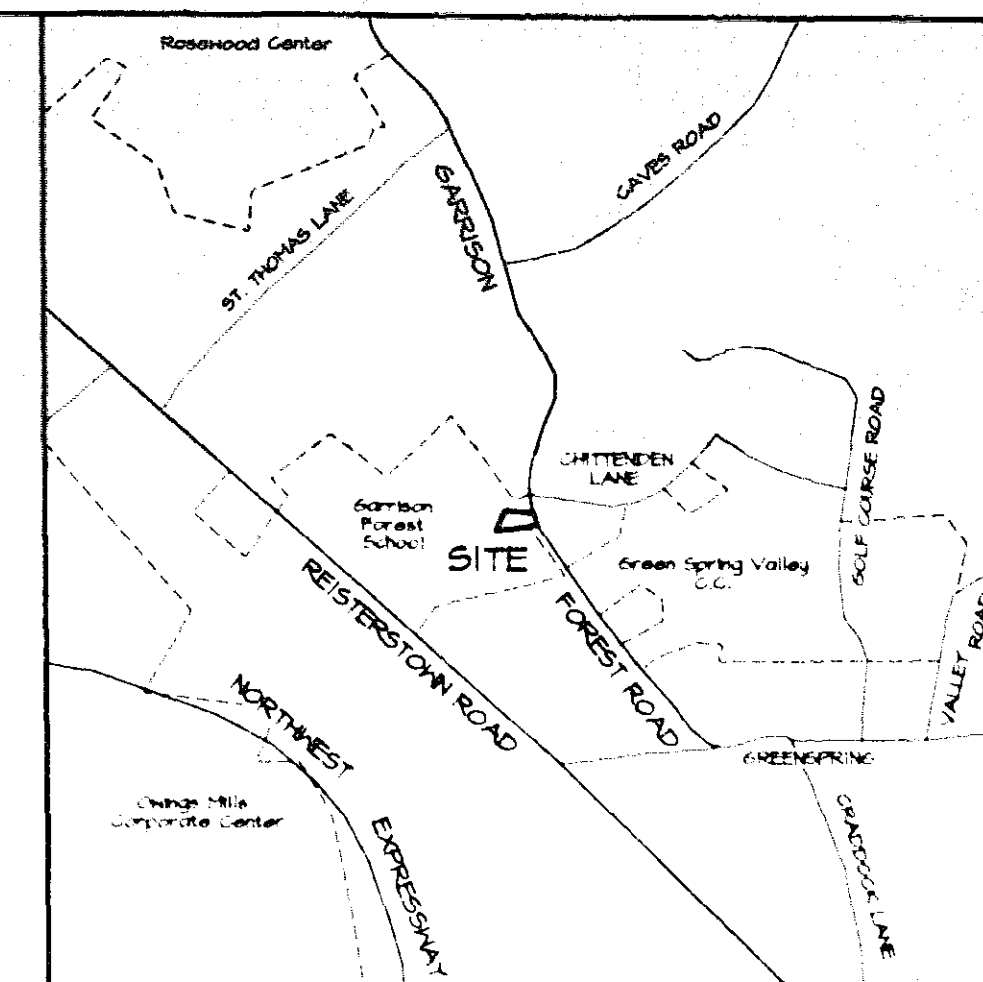
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GARRISON FOREST SCHOOL  
S.M. 8098 - 37  
#03-07-00095

GARRISON FOREST SCHOOL  
G.L.B. 2633 - 001  
#03-07-00095B

ESTATE OF FRANCES K. PRICE  
S.M. 8312 - 482  
#03-16-075276



VICINITY MAP 1"=2000'

MEASUREMENT BASED ON DEED  
LIBER S.M. 9850 - 404

LIBER S.M. 9850 FOLIO 404  
TAX ACCT. NO. 03-12-059200  
TAX MAP 67 GRID 5 PARCEL 67  
  
THERE ARE NO ADJOINING DWELLINGS WITHIN 100 FEET  
OF THE PROPERTY LINE.  
MAXIMUM BUILDING COVERAGE  
15% OF 52,912 SQ. FT. = 7946 SQ. FT.  
PROPOSED MAXIMUM BUILDING COVERAGE = 2877 SQ. FT.  
  
VARIANCE FROM SECTION 1A04.5B.3  
VARIANCE TO ALLOW A 34 FOOT SETBACK IN LIEU  
OF A 50 FOOT SETBACK ALONG THE SOUTHERN  
PROPERTY LINE

95-347-A

OWNER  
JEFFERY Y. FLYNN  
REBECCA M. FLYNN  
214 GARRISON FOREST ROAD  
OWINGS MILLS, MARYLAND 21117  
410-581-3444

# 348

PLAN TO ACCOMPANY  
ZONING VARIANCE  
OF  
FLYNN PROPERTY  
LOCATED IN  
3rd 9th ELECTION DISTRICT  
3rd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=20' DATE: MARCH 22, 1995

*Retention  
No 1*

GERHOLD, CROSS & ETZEL, LTD.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Townsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

GARRISON FOREST SCHOOL  
S.M. 8048 - 371  
#03-07-000951

GARRISON FOREST SCHOOL  
G.L.B. 2633 - 001  
#03-07-000958

ESTATE OF FRANCES K. PRICE  
S.M. 8312 - 482  
#03-16-075276

LIBER S.M. 9850 FOLIO 404  
TAX ACCT. No. 03-12-054200  
TAX MAP 67 GRID 5 PARCEL 67

THERE ARE NO ADJOINING DWELLINGS WITHIN 100 FEET OF THE PROPERTY LINE.  
MAXIMUM BUILDING COVERAGE  
15% OF 52,742 SQ.FT. = 7946 SQ.FT.  
PROPOSED MAXIMUM BUILDING COVERAGE = 2877 SQ.FT.

VARIANCE FROM SECTION 1A04.9B.3  
VARIANCE TO ALLOW A 94 FOOT SETBACK IN LIEU OF A 50 FOOT SETBACK ALONG THE SOUTHERN PROPERTY LINE

OWNER  
JEFFERY Y. FLYNN  
REBECCA M. FLYNN  
214 GARRISON FOREST ROAD  
OWINGS MILLS, MARYLAND 21117  
410-581-3449

PLAN TO ACCOMPANY PHOTOGRAPHS

PLAN TO ACCOMPANY  
ZONING VARIANCE # 345  
OF  
FLYNN PROPERTY  
LOCATED IN  
3rd 9th ELECTION DISTRICT  
3rd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=20' DATE: MARCH 22, 1995

GERHOLD, CROSS & ETZEL, LTD.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

